



General Assembly

January Session, 2021

Raised Bill No. 6100

LCO No. 2094



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

***AN ACT CONCERNING DEPARTMENT OF CONSUMER PROTECTION
LICENSING AND ENFORCEMENT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (g) of section 16-50j of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (g) Prior to commencing any hearing pursuant to section 16-50m, the
5 council shall consult with and solicit written comments from (1) the
6 Department of Energy and Environmental Protection, the Department
7 of Public Health, the Council on Environmental Quality, the
8 Department of Agriculture, the Public Utilities Regulatory Authority,
9 the Office of Policy and Management, the Department of Economic and
10 Community Development and the Department of Transportation, and
11 (2) in a hearing pursuant to section 16-50m, for a facility described in
12 subdivision (3) of subsection (a) of section 16-50i, the Department of
13 Emergency Services and Public Protection, [the Department of
14 Consumer Protection,] the Department of Administrative Services and
15 the Labor Department. Copies of such comments shall be made

16 available to all parties prior to the commencement of the hearing.
17 Subsequent to the commencement of the hearing, said departments and
18 council may file additional written comments with the council within
19 such period of time as the council designates. All such written
20 comments shall be made part of the record provided by section 16-50o.
21 Said departments and council shall not enter any contract or agreement
22 with any party to the proceedings or hearings described in this section
23 or section 16-50p that requires said departments or council to withhold
24 or retract comments, refrain from participating in or withdraw from
25 said proceedings or hearings.

26 Sec. 2. Section 20-500 of the general statutes is repealed and the
27 following is substituted in lieu thereof (*Effective July 1, 2021*):

28 As used in sections 20-500 to 20-529e, inclusive, unless the context
29 otherwise requires:

30 (1) "Appraisal" means the practice of developing an opinion of the
31 value of real property, in conformance with the USPAP.

32 (2) "Appraisal Foundation" means the not-for-profit corporation
33 referred to in Section 1121 of Title XI of FIRREA.

34 (3) "Appraisal management company" means any person,
35 partnership, association, limited liability company or corporation that
36 performs appraisal management services. "Appraisal management
37 company" does not include:

38 (A) An appraiser that enters into a written or oral agreement with
39 another appraiser for the performance of an appraisal, which is signed
40 by both appraisers upon completion;

41 (B) An appraisal management company that [(i) is wholly owned by
42 a financial institution subject to regulation by an agency or department
43 of the United States government or an agency of this state, and (ii) only
44 receives appraisal requests from an employee of such financial
45 institution] is a subsidiary owned and controlled by a financial

46 institution regulated by a federal financial institution regulatory agency
47 shall not be required to register with this state. For the purposes of this
48 subdivision, "financial institution" means a bank, as defined in section
49 36a-2, an out-of-state bank, as defined in section 36a-2, an institutional
50 lender, any subsidiary or affiliate of such bank, out-of-state bank or
51 institutional lender, or other lender licensed by the Department of
52 Banking;

53 (C) A department or unit of a financial institution subject to
54 regulation by an agency or department of the United States government
55 or an agency of this state that only receives appraisal requests from an
56 employee of such financial institution; or

57 (D) Any local, state or federal agency or department thereof.

58 (4) "Appraisal management services" means any of the following:

59 (A) The administration of an appraiser panel;

60 (B) The recruitment of certified appraisers to be part of an appraiser
61 panel, including, but not limited to, the negotiation of fees to be paid to,
62 and services to be provided by, such appraisers for their participation
63 on such panel; or

64 (C) The receipt of an appraisal request or order or an appraisal review
65 request or order and the delivery of such request or order to an
66 appraiser panel.

67 (5) "Appraiser panel" means a network of appraisers who are certified
68 in accordance with the requirements established by the commission by
69 regulation, who are independent contractors of an appraisal
70 management company and who have:

71 (A) Responded to an invitation, request or solicitation from an
72 appraisal management company to perform appraisals (i) requested or
73 ordered through such company, or (ii) directly for such company on a
74 periodic basis as assigned by the company; and

75 (B) Been selected and approved by such company.

76 (6) "Certified appraiser" means a person who has satisfied the
77 minimum requirements for a category of certification established by the
78 commission by regulation. Such minimum requirements shall be
79 consistent with guidelines established by the Appraisal Qualification
80 Board of the Appraisal Foundation. The categories of certification shall
81 include, but may be modified by the commission thereafter, one
82 category denoted as "certified residential appraiser" and another
83 denoted as "certified general appraiser".

84 (7) "Commission" means the Connecticut Real Estate Appraisal
85 Commission appointed under the provisions of section 20-502.

86 (8) "Commissioner" means the Commissioner of Consumer
87 Protection.

88 (9) "Compliance manager" means a person who holds an appraiser
89 certification in at least one state and who is responsible for overseeing
90 the implementation of, and compliance with, procedures for an
91 appraisal management company to:

92 (A) Verify that a person being added to the appraiser panel of the
93 company holds a license in good standing in accordance with section
94 20-509;

95 (B) Maintain detailed records of each appraisal request or order the
96 company receives and of the appraiser who performs such appraisal;
97 and

98 (C) Review on a periodic basis the work of all appraisers performing
99 appraisals for the company to ensure that such appraisals are being
100 conducted in accordance with the USPAP.

101 (10) "Controlling person" means a person who has not had an
102 appraiser license or a similar license or appraiser certificate denied,
103 refused to be renewed, suspended or revoked in any state and who:

104 (A) Is an owner, officer or director of a partnership, association,
105 limited liability company or corporation offering or seeking to offer
106 appraisal management services in this state;

107 (B) Is employed by an appraisal management company and has the
108 authority to enter into contracts or agreements for the performance of
109 appraisal management services or appraisals, or is appointed or
110 authorized by such company to enter into such contracts or agreements;
111 or

112 (C) May exercise authority over or direct the management or policies
113 of an appraisal management company.

114 (11) "Engaging in the real estate appraisal business" means the act or
115 process of estimating the value of real estate for a fee or other valuable
116 consideration.

117 (12) "FIRREA" means the Financial Institutions, Reform, Recovery
118 and Enforcement Act of 1989, P.L. 101-73, 103 Stat. 183.

119 (13) "Person" means an individual.

120 (14) "Provisional appraiser" means a person engaged in the business
121 of estimating the value of real estate for a fee or other valuable
122 consideration under the supervision of a certified real estate appraiser
123 and who meets the minimum requirements, if any, established by the
124 commission by regulation for provisional appraiser status.

125 (15) "Provisional license" means a license issued to a provisional
126 appraiser.

127 (16) "Real estate appraiser" or "appraiser" means a person engaged in
128 the business of estimating the value of real estate for a fee or other
129 valuable consideration.

130 (17) "USPAP" means the Uniform Standards of Professional
131 Appraisal Practice issued by the Appraisal Standards Board of the
132 Appraisal Foundation pursuant to Title XI of FIRREA.

133 Sec. 3. Subsection (c) of section 20-529 of the general statutes is
134 repealed and the following is substituted in lieu thereof (*Effective July 1,*
135 *2021*):

136 (c) Before issuing or renewing a certificate of registration, the
137 commissioner may:

138 (1) Certify that each appraisal management company applying for a
139 certificate of registration has procedures in place to (A) verify that a
140 person being added to the appraiser panel of the company holds a
141 certificate in good standing in accordance with section 20-509, (B)
142 maintain detailed records of each appraisal request or order it receives
143 and of the appraiser who performs such appraisal, and (C) review on a
144 periodic basis the work of all appraisers performing appraisals for the
145 company, to ensure that such appraisals are being conducted in
146 accordance with the USPAP;

147 (2) Determine to the commissioner's satisfaction that each person
148 owning [more than ten per cent of] an interest in an appraisal
149 management company is of good moral character and such person has
150 submitted to a background investigation, as deemed necessary by the
151 commissioner;

152 (3) Determine to the commissioner's satisfaction that the controlling
153 person (A) has never had an appraiser license or certificate denied,
154 refused to be renewed, suspended or revoked in any state, (B) is of good
155 moral character, and (C) has submitted to a background investigation,
156 as deemed necessary by the commissioner; and

157 (4) Determine to the commissioner's satisfaction that each appraisal
158 management company compensates appraisers in compliance with the
159 federal Truth-in-Lending Act, 15 USC Section 1639e(i), as amended from
160 time to time.

161 Sec. 4. Section 20-529b of the general statutes is repealed and the
162 following is substituted in lieu thereof (*Effective July 1, 2021*):

163 (a) No appraisal management company applying for a certificate of
164 registration shall:

165 (1) Be owned by any person who has had an appraiser license or
166 certificate denied, refused to be renewed, suspended or revoked in any
167 state;

168 (2) Be owned by any partnership, association, limited liability
169 company or corporation [that is more than ten per cent owned by] in
170 which there is an ownership interest held by any person who has had
171 an appraiser license or certificate denied, refused to be renewed,
172 suspended or revoked in any state;

173 (3) Employ any person to perform job functions related to the
174 ordering, preparation, performance or review of appraisals who has had
175 an appraiser license or certificate denied, refused to be renewed,
176 suspended or revoked; or

177 (4) Enter into any contract, agreement or other business arrangement,
178 written or oral, for the procurement of appraisal services in this state,
179 with (A) any person who has had an appraiser license or certificate
180 denied, refused to be renewed, suspended or revoked, or (B) any
181 partnership, association, limited liability company or corporation that
182 employs or has entered into any contract, agreement or other business
183 arrangement, whether oral, written or any other form, with any person
184 who has had an appraiser license or certificate denied, refused to be
185 renewed, suspended or revoked.

186 (b) Any employee of an appraisal management company or any
187 contractor working on behalf of such company who has any
188 involvement in the performance of appraisals in this state or review and
189 analysis of completed appraisals in this state shall be certified and in
190 good standing pursuant to the provisions of sections 20-500 to 20-528,
191 inclusive, as amended by this act. This subsection shall not prohibit an
192 individual who is not so certified from performing job functions that (1)
193 are confined to an examination of an appraisal or an appraisal report for
194 grammatical, typographical or clerical errors, and (2) do not involve the

195 formulation of opinions or comments about (A) the appraiser's data
196 collection, analyses, opinions, conclusions or valuation, or (B)
197 compliance of such appraisal or appraisal report with the USPAP.

198 (c) Except in cases of breach of contract or substandard performance
199 of services or where the parties have mutually agreed upon an alternate
200 payment schedule in writing, each appraisal management company
201 operating in this state shall make payment to an appraiser for the
202 completion of an appraisal or valuation assignment not later than forty-
203 five days after the date on which such appraiser transmits or otherwise
204 provides the completed appraisal or valuation study to the appraisal
205 management company or its assignee.

206 (d) No employee, owner, controlling person, director, officer or agent
207 of an appraisal management company shall intentionally influence,
208 coerce or encourage or attempt to influence, coerce or encourage, an
209 appraiser to misstate or misrepresent the value of a subject property, by
210 any means, including:

211 (1) Withholding or threatening to withhold timely payment for an
212 appraisal;

213 (2) Withholding or threatening to withhold business from, or
214 demoting, terminating or threatening to demote or terminate, an
215 appraiser;

216 (3) Expressly or impliedly promising future business, promotion or
217 increased compensation to an appraiser;

218 (4) Conditioning an appraisal request or payment of a fee, salary or
219 bonus on the opinion, preliminary estimate, conclusion or valuation to
220 be reached by the appraiser;

221 (5) Requesting that an appraiser provide a predetermined or desired
222 valuation in an appraisal report or estimated values or comparable sales
223 at any time prior to the completion of an appraisal;

224 (6) Providing to an appraiser an anticipated, estimated, encouraged

225 or desired value for a subject property or a proposed or target amount
226 to be loaned to the borrower, except that a copy of the contract to
227 purchase may be provided;

228 (7) Providing or offering to provide to an appraiser or to any person
229 or entity related to the appraiser stock or other financial or nonfinancial
230 benefits;

231 (8) Removing an appraiser from an appraiser panel without prior
232 written notice to such appraiser as set forth in section 20-529c;

233 (9) Obtaining, using or paying for a subsequent appraisal or ordering
234 an automated valuation model in connection with a mortgage financing
235 transaction unless (A) there is a reasonable basis to believe that the
236 initial appraisal was flawed or tainted and such basis is clearly noted in
237 such transaction file, or (B) such subsequent appraisal or automated
238 valuation model is performed pursuant to a bona fide prefunding or
239 postfunding appraisal review, loan underwriting or quality control
240 process; or

241 (10) Using any other act or practice that impairs or attempts to impair
242 an appraiser's independence, objectivity or impartiality.

243 (e) Nothing in subsection (d) of this section shall be construed to
244 prohibit an appraisal management company from requesting that an
245 appraiser provide additional information about the basis for a valuation
246 or correct objective factual errors in an appraisal report.

247 Sec. 5. Subsection (c) of section 20-517 of the general statutes is
248 repealed and the following is substituted in lieu thereof (*Effective July 1,*
249 *2021*):

250 (c) Persons certified or provisionally licensed in accordance with the
251 provisions of sections 20-500 to 20-528, inclusive, as amended by this
252 act, shall fulfill a continuing education requirement. Applicants for an
253 annual renewal certification or provisional license shall, in addition to
254 the other requirements imposed by the provisions of said sections,

255 biennially within any even-numbered year submit proof of compliance
256 with the continuing education requirements of this subsection, if any, to
257 the commission. [, accompanied by a sixteen-dollar processing fee] Each
258 licensee shall pay an eight-dollar continuing education processing fee
259 annually to cover the costs associated with the review and auditing of
260 continuing education submissions.

261 Sec. 6. Section 20-295b of the general statutes is repealed and the
262 following is substituted in lieu thereof (*Effective July 1, 2021*):

263 (a) Any person who, on October 1, 1969, holds a certificate of
264 authority or renewal issued pursuant to sections 20-295 and 20-295a of
265 the general statutes, revised to 1968, shall be entered on the roster of
266 licensed architects and shall thereafter be authorized and entitled to
267 practice architecture in accordance with the provisions of this chapter.

268 (b) An architect licensed in this state may perform the work of an
269 interior designer, as prescribed in chapter 396a.

270 Sec. 7. Section 20-292 of the general statutes is repealed and the
271 following is substituted in lieu thereof (*Effective July 1, 2021*):

272 (a) Each licensed architect shall renew his or her license annually.
273 Pursuant to section 20-289, a licensee shall pay to the department the
274 professional services fee for class F, as defined in section 33-182l and
275 shall submit proof of, or attest to, completion of continuing education
276 requirements.

277 (b) Each corporation holding a certificate of authorization for the
278 practice of architecture shall renew its certificate of authorization for the
279 practice of architecture each year and pay to the department a renewal
280 fee of two hundred twenty dollars.

281 (c) An applicant for examination or reexamination under this chapter
282 shall pay a nonrefundable fee of seventy-two dollars and an amount
283 sufficient to meet the cost of conducting each portion of the examination
284 taken by such applicant. The fee for an applicant who qualifies for a

285 license, other than by examination, in accordance with the provisions of
286 section 20-291, shall be one hundred dollars.

287 (d) Pursuant to section 20-289, an architect who is retired and not
288 practicing any aspect of architecture and who is (1) sixty-five years of
289 age or older, or (2) has been licensed for a minimum of ten years in this
290 state, may apply for registration as an Architect Emeritus. The fee for
291 such registration shall be ten dollars. An Architect Emeritus may not
292 engage in the practice of architecture without applying for and receiving
293 an architect license.

294 (e) For renewal of a license under this section, an applicant shall attest
295 that he or she has completed twelve hours of continuing professional
296 education during the continuing professional education period. The
297 continuing professional education period shall commence three
298 calendar months prior to the credential expiration date and shall run for
299 a period of one calendar year from the date of commencement.

300 (f) (1) For renewal of a license under this section, the department shall
301 charge the following fees for failure to earn continuing professional
302 education credits by the end of the continuing professional education
303 period:

304 (A) Three hundred fifteen dollars for reporting on a renewal
305 application a minimum of twelve hours of continuing professional
306 education, any of which was earned up to thirteen weeks following the
307 end of the continuing professional education period;

308 (B) Six hundred twenty-five dollars for reporting on a renewal
309 application a minimum of twelve hours of continuing professional
310 education, any of which was earned up to twenty-six weeks following
311 the end of the continuing professional education period;

312 (2) Failure, on the part of a licensee under section 20-292, as amended
313 by this act, to comply with the continuing professional education
314 requirements for more than twenty-six weeks beyond the continuing
315 professional education period may result in the suspension, revocation

316 or refusal to renew the license by the board or department after an
317 administrative hearing held pursuant to chapter 54.

318 Sec. 8. Subsection (a) of section 20-452 of the general statutes is
319 repealed and the following is substituted in lieu thereof (*Effective from*
320 *passage*):

321 (a) Any person seeking a certificate of registration as a community
322 association manager or as a community association manager trainee
323 shall apply to the department in writing, on a form provided by the
324 department. Such application shall include the applicant's name,
325 residence address, business address, business telephone number, a
326 question as to whether the applicant has been convicted of a felony in
327 any state or jurisdiction and such other information as the department
328 may require. Except for a community association manager trainee, any
329 person seeking an initial certificate of registration shall submit to a
330 request by the commissioner for a state and national criminal history
331 records check, to be conducted in accordance with section 29-17a. No
332 registration as a community association manager shall be issued unless
333 the commissioner has received the results of such records check.

334 Sec. 9. Section 20-453 of the general statutes is repealed and the
335 following is substituted in lieu thereof (*Effective from passage*):

336 (a) Upon receipt of a completed application and the appropriate fees,
337 the department, upon authorization of the commission, shall: (1) Issue
338 and deliver to the applicant a certificate of registration; or (2) refuse to
339 issue the certificate. The commission may suspend, revoke or refuse to
340 issue or renew any certificate issued under sections 20-450 to 20-462,
341 inclusive, or may place a registrant on probation or issue a letter of
342 reprimand for any of the reasons stated in section 20-456. No application
343 for the reinstatement of a certificate which has been revoked shall be
344 accepted by the department within one year after the date of such
345 revocation.

346 (b) Any person issued an initial certificate of registration as a
347 community association manager prior to October 1, 2019, shall, not later

348 than one year following the date of issuance of such certificate,
349 successfully complete a nationally recognized course on community
350 association management and pass the National Board of Certification
351 for Community Association Managers' Certified Manager of
352 Community Associations examination, or a similar examination as may
353 be prescribed by the Commissioner of Consumer Protection in
354 regulations adopted pursuant to subsection [(c)] (d) of this section.

355 (c) Any person issued an initial certificate of registration as a
356 community association manager on or after October 1, 2019, shall
357 successfully complete a nationally recognized course on community
358 association management and pass the National Board of Certification
359 for Community Association Managers' Certified Manager of
360 Community Associations examination, or a similar examination as may
361 be prescribed by the Commissioner of Consumer Protection in
362 regulations adopted pursuant to subsection (d) of this section.

363 [(c)] (d) The department, with the advice and assistance of the
364 commission, shall adopt regulations, in accordance with chapter 54,
365 concerning any examination required for certification under this chapter
366 and the approval of schools, institutions or organizations offering
367 courses in current practices and laws concerning community association
368 management and the content of such courses. Such regulations shall
369 include, but not be limited to: (1) Specifications for meeting the
370 educational requirements prescribed in this section; and (2) exemptions
371 from the educational requirements for reasons of health or instances of
372 individual hardship. In adopting such regulations, the department may
373 not disapprove a school, institution or organization that offers an
374 examination or courses in current practices and laws concerning
375 community association management solely because its examination or
376 courses are offered or taught by electronic means, nor may the
377 department disapprove an examination or course solely because it is
378 offered or taught by electronic means.

379 [(d)] (e) An applicant for renewal of registration as a community
380 association manager shall, in addition to the other requirements

381 imposed by the provisions of this chapter, complete sixteen hours of
382 continuing education over the course of the two-year period, retain
383 proof of completion, and, upon request, provide such proof to the
384 department. Continuing education shall consist of a course or courses,
385 offered by the Connecticut Chapter of the Community Associations
386 Institute, in community association management techniques and
387 common interest community law, or similar courses as may be
388 prescribed by the Commissioner of Consumer Protection in regulations
389 adopted pursuant to this chapter.

390 Sec. 10. Section 20-457 of the general statutes is repealed and the
391 following is substituted in lieu thereof (*Effective from passage*):

392 (a) Each community association manager shall (1) exhibit his or her
393 certificate of registration upon request by any interested party, (2) state
394 in any advertisement the fact that he or she is registered, and (3) include
395 his or her registration number in any advertisement. In the case of a
396 business entity, the advertisement shall identify at least one principal,
397 officer or director of the entity that is a community association manager
398 and shall include the registration number of such principal, officer or
399 director.

400 (b) No person shall: (1) Present or attempt to present, as his or her
401 own, the certificate of another, (2) knowingly give false evidence of a
402 material nature to the commission or department for the purpose of
403 procuring a certificate, (3) represent himself or herself falsely as, or
404 impersonate, a registered community association manager, (4) use or
405 attempt to use a certificate which has expired or which has been
406 suspended or revoked, (5) offer to provide association management
407 services without having a current certificate of registration under
408 sections 20-450 to 20-462, inclusive, (6) represent in any manner that his
409 or her registration constitutes an endorsement of the quality of his or
410 her services or of his or her competency by the commission or
411 department. In addition to any other remedy provided for in sections
412 20-450 to 20-462, inclusive, any person who violates any provision of
413 this subsection shall, after an administrative hearing, be fined not more

414 than one thousand dollars, or shall be imprisoned for not more than one
415 year or be both fined and imprisoned. A violation of any of the
416 provisions of sections 20-450 to 20-462, inclusive, shall be deemed an
417 unfair or deceptive trade practice under subsection (a) of section 42-
418 110b.

419 (c) Certificates issued to community association managers shall not
420 be transferable or assignable.

421 (d) All certificates issued to community association managers under
422 the provisions of sections 20-450 to 20-462, inclusive, shall expire
423 annually on the thirty-first day of January. A holder of a certificate of
424 registration who seeks to renew his or her certificate shall, when filing
425 an application for renewal of the certificate, submit documentation to
426 the department which establishes that he or she has passed any
427 examination and completed any educational coursework, as the case
428 may be, required for certification under this chapter. The fee for renewal
429 of a certificate shall be two hundred dollars.

430 [(e) A community association manager whose certificate has expired
431 more than one month before his or her application for renewal is made
432 shall have his or her registration restored upon payment of a fee of fifty
433 dollars in addition to his or her renewal fee. Restoration of a registration
434 shall be effective upon approval of the application for renewal by the
435 commission or department.

436 (f) A certificate shall not be restored unless it is renewed not later than
437 one year after its expiration.]

438 [(g)] (e) Failure to receive a notice of expiration or a renewal
439 application shall not exempt a community association manager from the
440 obligation to renew.

441 [(h)] (f) All certificates issued to community association manager
442 trainees under the provisions of sections 20-450 to 20-462, inclusive,
443 shall expire six months from the date of issuance and shall not be
444 renewable.

445 Sec. 11. Subsection (b) of section 20-458 of the general statutes is
446 repealed and the following is substituted in lieu thereof (*Effective from*
447 *passage*):

448 (b) No contract to provide association management services shall:

449 (1) Be sold or assigned to another person without the approval of a
450 majority of the executive board of the association; or

451 (2) Include any clause, covenant or agreement that indemnifies or
452 holds harmless the person contracting to provide association
453 management services from or against any liability for loss or damage
454 resulting from such person's negligence or wilful misconduct.

455 Sec. 12. Subsection (b) of section 20-460 of the general statutes is
456 repealed and the following is substituted in lieu thereof (*Effective from*
457 *passage*):

458 (b) The commercially available insurance policy referred to in
459 subsection (a) of this section shall: (1) Be written by an insurance
460 company authorized to write such policies in this state; (2) except as
461 provided in subsection (c) of this section, cover the maximum funds that
462 will be in the custody of the community association manager at any time
463 while the bond is in force, and in no event be less than the sum of three
464 months' assessments plus reserve funds; (3) name the association as
465 obligee; (4) [cover the community association manager, community
466 association manager trainee and all partners, officers, employees of the
467 community association manager and may cover other persons
468 controlling, collecting, having access to or disbursing association funds
469 as well; (5)] be conditioned upon the persons covered by the policy truly
470 and faithfully accounting for all funds received by them, under their
471 care, custody or control, or to which they have access; [(6)] (5) provide
472 that the insurance company issuing the policy may not cancel,
473 substantially modify or refuse to renew the policy without giving thirty
474 days' prior written notice to the association and the department, except
475 in the case of a nonpayment of premiums, in which case ten days' prior
476 written notice shall be given; [(7)] and (6) contain such other provisions

477 as the department may, by regulation, require.

478 Sec. 13. Subsection (b) of section 21a-190e of the general statutes is
479 repealed and the following is substituted in lieu thereof (*Effective from*
480 *passage*):

481 (b) A fund-raising counsel who at any time has custody or control of
482 contributions from a solicitation shall register with the department.
483 Applications for registration or renewal of a registration as a fund-
484 raising counsel shall be in a form prescribed by the commissioner and
485 shall be accompanied by a fee in the amount of one hundred twenty
486 dollars. Each fund-raising counsel shall certify that such application or
487 report is true and correct to the best of the fund-raising counsel's
488 knowledge. Each application shall contain such information as the
489 department shall require. Each registration shall be valid for one year
490 and may be renewed for additional one-year periods. An applicant for
491 registration or for a renewal of registration as a fund-raising counsel
492 shall, at the time of making such application, file with and have
493 approved by the department a bond in a form prescribed by the
494 commissioner, in which the applicant shall be the principal obligor in
495 the sum of [twenty] fifty thousand dollars, with one or more responsible
496 sureties whose liability in the aggregate as such sureties shall be no less
497 than such sum. The fund-raising counsel shall maintain the bond in
498 effect as long as the registration is in effect. The bond shall run to the
499 state and to any person who may have a cause of action against the
500 principal obligor of the bond for any liabilities resulting from the
501 obligor's conduct of any activities subject to sections 21a-190a to 21a-
502 190l, inclusive, as amended by this act, or arising out of a violation of
503 said sections or any regulation adopted pursuant to said sections. Any
504 such fund-raising counsel shall account to the charitable organization
505 with which he has contracted for all income received and expenses paid
506 no later than ninety days after a solicitation campaign has been
507 completed, and in the case of a solicitation campaign lasting more than
508 one year, on the anniversary of the commencement of such campaign.
509 Such accounting shall be in writing, shall be retained by the charitable
510 organization for three years and shall be available to the department

511 upon request.

512 Sec. 14. Section 21a-190f of the general statutes is repealed and the
513 following is substituted in lieu thereof (*Effective from passage*):

514 (a) No person shall act as a paid solicitor unless such person has first
515 registered with the department. Registration shall be in a form
516 prescribed by the commissioner, shall be certified by the paid solicitor
517 as true and correct to the best of the solicitor's knowledge and shall be
518 accompanied by a fee in the amount of five hundred dollars. The
519 application shall contain such information as the department shall
520 require. Each registration shall be valid for one year and may be
521 renewed for additional one-year periods.

522 (b) An applicant for registration or for a renewal of registration as a
523 paid solicitor shall, at the time of making such application, file with and
524 have approved by the department a bond in a form prescribed by the
525 commissioner, in which the applicant shall be the principal obligor in
526 the sum of [twenty] fifty thousand dollars, with one or more responsible
527 sureties whose liability in the aggregate as such sureties shall be no less
528 than such sum. The paid solicitor shall maintain the bond in effect as
529 long as the registration is in effect. The bond shall run to the state and
530 to any person who may have a cause of action against the principal
531 obligor of the bond for any liabilities resulting from the obligor's
532 conduct of any activities subject to sections 21a-190a to 21a-190l,
533 inclusive, as amended by this act, or arising out of a violation of said
534 sections or any regulation adopted pursuant to said sections.

535 (c) No less than twenty days prior to the commencement of each
536 solicitation campaign, a paid solicitor shall file with the department a
537 copy of the contract described in subsection (d) of this section and shall
538 complete a solicitation notice in a form prescribed by the commissioner.
539 A solicitation notice shall be certified by the paid solicitor as true and
540 correct to the best of the solicitor's knowledge and shall include a
541 description of the solicitation event or campaign, the location and
542 telephone number from which the solicitation is to be conducted, the

543 names and residence addresses of all employees, agents or other
544 persons however styled who are to solicit during such campaign and
545 the account number and location of all bank accounts where receipts
546 from such campaign are to be deposited. Copies of campaign solicitation
547 literature, including the text of any solicitation to be made orally, shall
548 be submitted to the department. The charitable organization on whose
549 behalf the paid solicitor is acting shall certify that the solicitation notice
550 and accompanying material are true and complete. Prior to the
551 commencement of such solicitation campaign, the commissioner shall
552 publicize such solicitation by posting on the department's web site
553 information describing the terms of the contract between the paid
554 solicitor and the charitable organization, the dates of such solicitation
555 campaign and the percentage of the raised funds to be retained by the
556 paid solicitor. The commissioner may publicize such solicitation
557 through any additional means the commissioner deems appropriate. If
558 a solicitation campaign continues for a period longer than five years, the
559 paid solicitor shall, every five years and by not later than the last day of
560 the month of the submission of the first solicitation notice, complete a
561 new solicitation notice in a form prescribed by the commissioner and
562 shall refile a copy of the contract described in subsection (d) of this
563 section.

564 (d) A contract between a paid solicitor and a charitable organization
565 shall be in writing, shall clearly state the respective obligations of the
566 paid solicitor and the charitable organization and shall state the
567 minimum amount that the charitable organization shall receive as a
568 result of the solicitation campaign, which minimum amount shall be
569 stated as a percentage of the gross revenue. Such minimum amount
570 shall not include any amount that the charitable organization is to pay
571 as expenses of the solicitation campaign.

572 (e) A paid solicitor shall, prior to orally requesting a contribution, and
573 at the same time at which a written request for a contribution is made,
574 clearly and conspicuously disclose at the point of solicitation such
575 solicitor's name as on file with the department, the fact that such
576 solicitor is a paid solicitor and the percentage of the gross revenue which

577 the charitable organization shall receive as identified in subsection (d)
578 of this section.

579 (f) A paid solicitor shall, in the case of a solicitation campaign
580 conducted orally, whether by telephone or otherwise, send a written
581 confirmation to each person who has pledged to contribute, no more
582 than five days after such person has been solicited, which confirmation
583 shall include a clear and conspicuous disclosure of the information
584 required by subsection (e) of this section.

585 (g) A paid solicitor shall not represent that any part of the
586 contributions received will be given or donated to any charitable
587 organization unless such organization has consented in writing to the
588 use of its name, prior to the solicitation. Such written consent, if given,
589 shall be signed by two authorized officers, directors or trustees of the
590 charitable organization.

591 (h) No paid solicitor may represent that tickets to an event are to be
592 donated for use by another, unless the paid solicitor has first obtained a
593 commitment, in writing, from a charitable organization stating that it
594 will accept donated tickets and specifying the number of tickets which
595 it is willing to accept and provided no more contributions for donated
596 tickets shall be solicited than the number of ticket commitments
597 received from the charitable organization.

598 (i) A paid solicitor shall require any person such solicitor directly or
599 indirectly employs, procures or engages to solicit to comply with the
600 provisions of subsections (e) to (h), inclusive, of this section.

601 (j) A paid solicitor shall file a financial report for the campaign with
602 the department no more than ninety days after a solicitation campaign
603 has been completed, and on the anniversary of the commencement of
604 any solicitation campaign which lasts more than one year, in a form
605 prescribed by the commissioner. The financial report shall include gross
606 revenue and an itemization of all expenditures incurred. The report
607 shall be completed on a form prescribed by the department. An
608 authorized official of the paid solicitor and two authorized officials of

609 the charitable organization shall certify that such report is true and
610 complete to the best of their knowledge. The information contained in
611 such report shall be available to the public.

612 (k) A paid solicitor shall maintain during each solicitation campaign
613 and for not less than three years after the completion of each such
614 campaign the following records, which shall be available to the
615 department for inspection upon request: (1) The name and address of
616 each contributor and the date and amount of the contribution, provided
617 the department shall not disclose this information except to the extent
618 necessary for investigative or law enforcement purposes; (2) the name
619 and residence of each employee, agent or other person involved in the
620 solicitation; and (3) records of all income received and expenses
621 incurred in the course of the solicitation campaign.

622 (l) If a paid solicitor sells tickets to an event and represents that tickets
623 will be donated for use by another, the paid solicitor shall maintain, for
624 not less than three years after the completion of such event, the
625 following records, which shall be available to the department for
626 inspection upon request: (1) The name and address of contributors
627 donating tickets and the number of tickets donated by each contributor;
628 and (2) the name and address of all organizations receiving donated
629 tickets for use by others, including the number of tickets received by
630 each organization.

631 (m) All funds collected by the paid solicitor shall be deposited in a
632 bank account. The bank account shall be in the name of the charitable
633 organization with whom the paid solicitor has contracted and the
634 charitable organization shall have sole or joint control of the account.

635 (n) Any material change in any information filed with the department
636 pursuant to this section shall be reported in writing or electronically by
637 the paid solicitor to the department not more than seven days after such
638 change occurs.

639 (o) No person may act as a paid solicitor if such person, any officer or
640 director thereof, any person with a controlling interest therein, or any

641 person the paid solicitor employs, engages or procures to solicit for
642 compensation, has been convicted by a court of any state or the United
643 States of any felony, or of any misdemeanor involving dishonesty or
644 arising from the conduct of a solicitation for a charitable organization or
645 purpose. Any denial, suspension or revocation of the registration of a
646 paid solicitor based on a violation of this subsection shall be made in
647 accordance with the provisions of section 46a-80.

648 Sec. 15. Section 21a-190l of the general statutes is repealed and the
649 following is substituted in lieu thereof (*Effective from passage*):

650 (a) The commissioner may deny, suspend or revoke the registration
651 of any charitable organization, fund-raising counsel or paid solicitor
652 which has violated any provision of sections 21a-190a to 21a-190l,
653 inclusive, as amended by this act. [The commissioner may accept a
654 written assurance of compliance when said commissioner determines
655 that a violation of said sections is such that the public interest would not
656 be served by a denial, suspension or revocation of such registration.]

657 (b) The Attorney General, at the request of the commissioner, may
658 apply to the Superior Court for, and the court may grant, a temporary
659 injunction or a permanent injunction to restrain violations of sections
660 21a-190a to 21a-190l, inclusive, as amended by this act, the appointment
661 of a receiver, an order of restitution, an accounting and such other relief
662 as may be appropriate to ensure the due application of charitable funds.
663 Proceedings thereon shall be brought in the name of the state.

664 (c) Any person who knowingly violates any provision of sections 21a-
665 190a to 21a-190l, inclusive, as amended by this act, shall be fined not
666 more than five thousand dollars or imprisoned not more than one year,
667 or both.

668 (d) In any action brought under subsection (b) of this section, if the
669 court finds that a person has wilfully engaged in conduct prohibited by
670 section 21a-190h, the Attorney General, upon petition to the court, may
671 recover, on behalf of the state, a civil penalty of not more than two
672 thousand five hundred dollars for each violation. For purposes of this

673 subsection, a wilful violation occurs when the party committing the
674 violation knew or should have known that such conduct was prohibited
675 by section 21a-190h.

676 Sec. 16. Section 43-8a of the general statutes is repealed and the
677 following is substituted in lieu thereof (*Effective from passage*):

678 The Commissioner of Weights and Measures shall adopt regulations,
679 in accordance with chapter 54, [incorporating, by reference, the
680 voluntary version of the Uniform Open Dating Regulation, as adopted
681 and as amended from time to time, by the National Conference on
682 Weights and Measures and published in the National Institute of
683 Standards and Technology Handbook 130, or subsequent
684 corresponding handbook of the United States Department of
685 Commerce] to prescribe uniform date labeling for foods. Dairy foods
686 required to be marked with a last sale date pursuant to section 22-197b
687 shall be exempt from the provisions of this section.

688 Sec. 17. Section 21a-2 of the general statutes is repealed and the
689 following is substituted in lieu thereof (*Effective from passage*):

690 (a) A toll-free telephone line, available to consumers throughout the
691 state, shall be established in the Department of Consumer Protection for
692 the handling of consumer inquiries and complaints concerning
693 consumer goods or services in the state or any other matter within the
694 jurisdiction of the department and its licensing and regulatory boards.
695 The line shall be in operation from 8:30 a.m. to 4:30 p.m. Monday
696 through Friday each week, exclusive of those legal holidays on which
697 state offices are closed, and shall be restricted to incoming calls.

698 (b) The Department of Consumer Protection shall process the intake
699 of consumer complaints concerning consumer goods or services in the
700 state and any other matter within the jurisdiction of the department. In
701 order to assist in the resolution of consumer complaints, the department
702 may notify, in writing, the respondent against whom a complaint was
703 received of the allegations against them and require a written response
704 be provided to the department not later than thirty days of receipt of

705 such notice.

706 (c) For purposes of this section, "credential holder" means a person
707 certified, licensed, permitted or registered with the Department of
708 Consumer Protection. In the event the department provides written
709 notice to a respondent who is not a credential holder that a complaint
710 has been filed against him or her, and said respondent fails to respond
711 after receipt of such notice, the respondent may be fined not more than
712 two hundred fifty dollars for failure to respond to the department.
713 Written notice for purposes of this section shall include notice sent by
714 registered or certified mail or hand-delivered to a respondent.

715 (d) All notices of administrative enforcement actions, including
716 compliance meetings and hearings, shall be in writing and shall comply
717 with the provisions of subsections (a) and (b) of section 4-177 and
718 subsection (c) of section 4-182, if applicable. A notice of administrative
719 enforcement action shall be delivered to all designated parties and
720 intervenorers who are not credential holders, or their authorized
721 representative: (1) Personally, (2) by United States mail, with delivery
722 tracking or via certified mail, or (3) via electronic mail with tracking and
723 delivery confirmation. Delivery of administrative enforcement action
724 notices shall be deemed effective notice if delivered or sent to a
725 credential holder's last known address or electronic mail address of
726 record on file with the department. If the party is not a credential holder,
727 service shall be deemed sufficient, provided the department has made
728 reasonable efforts to effectuate notice, including, but not limited to,
729 verifying the mailing address with the Secretary of the State or the
730 Department of Motor Vehicles.

731 Sec. 18. Subsection (a) of section 21a-7 of the general statutes is
732 repealed and the following is substituted in lieu thereof (*Effective from*
733 *passage*):

734 (a) Each board or commission within the Department of Consumer
735 Protection under section 21a-6 shall have the following powers and
736 duties:

737 (1) Each board or commission shall exercise its statutory functions,
738 including licensing, certification, registration, accreditation of schools
739 and the rendering of findings, orders and adjudications. With the
740 exception of the Liquor Control Commission, any exercise of such
741 functions by such a board or commission that is adverse to a party shall
742 be a proposed decision and subject to approval, modification or
743 rejection by the commissioner.

744 (2) Each board or commission may, in its discretion, issue (A) an
745 appropriate order to any person found to be violating an applicable
746 statute or regulation providing for the immediate discontinuance of the
747 violation, (B) an order requiring the violator to make restitution for any
748 damage caused by the violation, or (C) both. Each board or commission
749 may, through the Attorney General, petition the superior court for the
750 judicial district wherein the violation occurred, or wherein the person
751 committing the violation resides or transacts business, for the
752 enforcement of any order issued by it and for appropriate temporary
753 relief or a restraining order and shall certify and file in the court a
754 transcript of the entire record of the hearing or hearings, including all
755 testimony upon which such order was made and the findings and
756 orders made by the board or commission. The court may grant such
757 relief by injunction or otherwise, including temporary relief, as it deems
758 equitable and may make and enter a decree enforcing, modifying and
759 enforcing as so modified, or setting aside, in whole or in part, any order
760 of a board or commission.

761 (3) Each board or commission may conduct hearings on any matter
762 within its statutory jurisdiction. Such hearings shall be conducted in
763 accordance with chapter 54 and the regulations established pursuant to
764 subsection (a) of section 21a-9. In connection with any such hearing, the
765 board or commission may administer oaths, issue subpoenas, compel
766 testimony and order the production of books, records and documents.
767 If any person refuses to appear, testify or produce any book, record or
768 document when so ordered, a judge of the Superior Court may make
769 such order as may be appropriate to aid in the enforcement of this
770 section.

771 (4) Each board or commission may request the Commissioner of
772 Consumer Protection to conduct an investigation and to make findings
773 and recommendations regarding any matter within the statutory
774 jurisdiction of the board or commission.

775 (5) Each board or commission may recommend rules and regulations
776 for adoption by the Commissioner of Consumer Protection and may
777 review and comment upon proposed rules and regulations prior to their
778 adoption by said commissioner.

779 (6) Each board or commission shall meet at least once in each quarter
780 of a calendar year and at such other times as the chairperson or the
781 Commissioner of Consumer Protection deems necessary. A majority of
782 the members shall constitute a quorum, except that for any examining
783 board, forty per cent of the members shall constitute a quorum. Any
784 member who fails to attend three consecutive meetings or who fails to
785 attend fifty per cent of all meetings during any calendar year shall be
786 deemed to have resigned from office. Members of boards or
787 commissions shall not serve for more than two consecutive full terms
788 which commence on or after July 1, 1982, except that if no successor has
789 been appointed or approved, such member shall continue to serve until
790 a successor is appointed or approved. Members shall not be
791 compensated for their services but shall be reimbursed for necessary
792 expenses incurred in the performance of their duties.

793 (7) In addition to any other action permitted under the general
794 statutes, each board or commission may, upon a finding of any cause
795 specified in subsection (c) of section 21a-9: (A) Revoke, place conditions
796 upon or suspend a license, registration or certificate; (B) issue a letter of
797 reprimand to a practitioner and send a copy of such letter to a
798 complainant or to a state or local official; (C) place a practitioner on
799 probationary status and require the practitioner to (i) report regularly to
800 the department, board or commission on the matter which is the basis
801 for probation, (ii) limit the practitioner's practice to areas prescribed by
802 the board or commission, or (iii) continue or renew the practitioner's
803 education until the practitioner has attained a satisfactory level of

804 competence in any area which is the basis for probation; or (D) impose
805 a fine not to exceed one thousand dollars per violation. Each board or
806 commission may discontinue, suspend or rescind any action taken
807 under this subsection.

808 (8) Each examining board within the Department of Consumer
809 Protection or the Commissioner of Consumer Protection shall conduct
810 any hearing or other action required for an application submitted
811 pursuant to section 20-333 and any completed renewal application
812 submitted pursuant to section 20-335 not later than (A) thirty days after
813 the date of submission for such application or completed renewal
814 application, as applicable, or (B) a period of time deemed appropriate
815 by the Commissioner of Consumer Protection, but not to exceed sixty
816 days after such date of submission.

817 Sec. 19. Subsection (c) of section 21a-8 of the general statutes is
818 repealed and the following is substituted in lieu thereof (*Effective from*
819 *passage*):

820 (c) The Commissioner of Consumer Protection shall have the
821 following powers and duties with regard to each board or commission
822 within the Department of Consumer Protection under section 21a-6:

823 (1) The commissioner shall, in consultation with each board or
824 commission, exercise the functions of licensing, certification,
825 registration, accreditation of schools and the rendering of findings,
826 orders and adjudications.

827 (2) The commissioner may, in the commissioner's discretion, issue an
828 appropriate order to any person found to be violating any statute or
829 regulation within the jurisdiction of such board or commission
830 providing for the immediate discontinuance of the violation or
831 requiring the violator to make restitution for any damage caused by the
832 violation, or both. The commissioner may, through the Attorney
833 General, petition the superior court for the judicial district in which the
834 violation occurred, or in which the person committing the violation
835 resides or transacts business, for the enforcement of any order issued by

836 the commissioner under this subdivision and for appropriate temporary
837 relief or a restraining order. The commissioner shall certify and file in
838 the court a transcript of the entire record of the hearing or hearings,
839 including all testimony upon which such order was made and the
840 findings and orders made by the commissioner. The court may grant
841 such relief by injunction or otherwise, including temporary relief, as the
842 court deems equitable and may make and enter a decree enforcing,
843 modifying and enforcing as so modified, or setting aside, in whole or in
844 part, any order of the commissioner issued under this subdivision.

845 (3) The commissioner may conduct hearings on any matter within the
846 statutory jurisdiction of such board or commission. Such hearings shall
847 be conducted in accordance with chapter 54 and the regulations adopted
848 pursuant to subsection (a) of section 21a-9. In connection with any such
849 hearing, the commissioner may administer oaths, issue subpoenas,
850 compel testimony and order the production of books, records and
851 documents. If any person refuses to appear, testify or produce any book,
852 record or document when so ordered, a judge of the Superior Court may
853 make such order as may be appropriate to aid in the enforcement of this
854 subdivision.

855 (4) In addition to any other action permitted under the general
856 statutes, the commissioner may, upon a finding of any cause specified
857 in subsection (c) of section 21a-9: (A) Revoke, place conditions upon or
858 suspend a license, registration or certificate; (B) issue a letter of
859 reprimand to a practitioner and send a copy of such letter to a
860 complainant or to a state or local official; (C) place a practitioner on
861 probationary status and require the practitioner to (i) report regularly to
862 the commissioner on the matter which is the basis for probation, (ii) limit
863 the practitioner's practice to areas prescribed by the commissioner, or
864 (iii) continue or renew the practitioner's education until the practitioner
865 has attained a satisfactory level of competence in any area which is the
866 basis for probation; or (D) impose a fine of not greater than one
867 thousand dollars per violation. The commissioner may discontinue,
868 suspend or rescind any action taken under this subdivision. If a license,
869 registration or certificate is voluntarily surrendered or is not renewed,

870 the commissioner shall not be prohibited from suspending, revoking or
871 imposing other penalties permitted by law on any such license,
872 registration or certificate.

873 Sec. 20. Section 21a-10 of the general statutes is repealed and the
874 following is substituted in lieu thereof (*Effective October 1, 2021*):

875 (a) The Commissioner of Consumer Protection may establish,
876 combine or abolish divisions, sections or other units within the
877 Department of Consumer Protection and allocate powers, duties and
878 functions among such units, but no function vested by statute in any
879 officer, division, board, agency or other unit within the department shall
880 be removed from the jurisdiction of such officer, division, board, agency
881 or other unit under the provisions of this section.

882 (b) The Commissioner of Consumer Protection shall adopt
883 regulations, in accordance with chapter 54, to designate a staggered
884 schedule for the renewal of all licenses, certificates, registrations and
885 permits issued by said department. If such designation of a staggered
886 schedule results in the expiration of any license, certificate, registration
887 or permit for a period of less than or more than one year, said
888 commissioner may charge a prorated amount for such license,
889 certificate, registration or permit. For any new license, certificate,
890 registration or permit that is issued and for any guaranty fund fee that
891 is imposed on or after January 1, 1995, the commissioner may charge a
892 one-time prorated amount for such newly issued license, certificate,
893 registration, permit or guaranty fund fee.

894 (c) For any Department of Consumer Protection license, certificate,
895 registration or permit that requires the credential holder to complete
896 continuing education requirements, the continuing education
897 requirements shall be completed within the annual or biannual period
898 that begins and ends three months prior to the renewal date for the
899 applicable credential, except for licenses issued pursuant to chapter 400j.

900 Sec. 21. Section 21a-11 of the general statutes is repealed and the
901 following is substituted in lieu thereof (*Effective from passage*):

902 (a) The Commissioner of Consumer Protection may, subject to the
903 provisions of chapter 67, employ such agents and assistants as are
904 necessary to enforce the provisions of the general statutes wherein said
905 commissioner is empowered to carry out the duties and responsibilities
906 assigned to him or his department. For the purpose of inquiring into any
907 suspected violation of such provisions, the commissioner and his
908 deputy and assistants shall have free access, at all reasonable hours, to
909 all places and premises, homes and apartments of private families
910 keeping no boarders excepted. The commissioner and his or her deputy
911 or assistants shall have the authority to issue citations pursuant to
912 section 51-164n, as amended by this act, for violations for the purpose
913 of enforcing such provisions. The commissioner may delegate his or her
914 authority to render a final decision in a contested case to a hearing
915 officer employed by or contracted by the department.

916 (b) On the tender of the market price, the commissioner or his deputy
917 may take from any person, firm or corporation samples of any article
918 which he suspects is sold, offered for sale, kept with intent to sell, made
919 or manufactured contrary to any provision of this chapter or related
920 chapters under the jurisdiction of said commissioner. He may analyze
921 such samples or have them analyzed by a state chemist or by an
922 experiment station or by the laboratories of the Department of Public
923 Health, and a sworn or affirmed certificate by such analyst shall be
924 prima facie evidence of the ingredients and constituents of the samples
925 analyzed. If such analysis shows that any such sample does not conform
926 to the requirements of law, and gives the commissioner or his deputy
927 reasonable grounds for believing that any provision of this chapter or
928 related chapters under his jurisdiction has been violated, he shall cause
929 such violator to be prosecuted. Any person who refuses the access
930 provided for herein to the commissioner, his deputy or assistants, or
931 who refuses to sell the samples provided for herein, shall be guilty of a
932 class D misdemeanor. Evidence of violation of any provision of this
933 section shall be prima facie evidence of wilful violation.

934 (c) The commissioner may, subject to the provisions of chapter 54,
935 revoke, suspend, [or] place conditions upon, deny or impose a fine of

936 not greater than one thousand dollars per violation with regard to any
937 license or registration issued by the department in the event that such
938 licensee or registrant, including, but not limited to, an owner of any
939 business entity holding such license or registration, owes moneys to any
940 guaranty fund or account maintained or used by the department,
941 including, but not limited to, the Home Improvement Guaranty Fund
942 established pursuant to section 20-432, the New Home Construction
943 Guaranty Fund established pursuant to section 20-417i, the Connecticut
944 Health Club Guaranty Fund established pursuant to section 21a-226, the
945 Real Estate Guaranty Fund established pursuant to section 20-324a and
946 the privacy protection guaranty and enforcement account established
947 pursuant to section 42-472a.

948 (d) In addition to any other action permitted under the general
949 statutes, the commissioner may, upon a finding: (A) Revoke, place
950 conditions upon or suspend a license, registration or certificate; (B) issue
951 a letter of reprimand to a practitioner and send a copy of such letter to a
952 complainant or to a state or local official; (C) place a practitioner on
953 probationary status and require the practitioner to (i) report regularly to
954 the commissioner on the matter which is the basis for probation, (ii) limit
955 the practitioner's practice to areas prescribed by the commissioner, or
956 (iii) continue or renew the practitioner's education until the practitioner
957 has attained a satisfactory level of competence in any area which is the
958 basis for probation; or (D) impose a fine of not greater than one
959 thousand dollars per violation. The commissioner may discontinue,
960 suspend or rescind any action taken under this subdivision. If a license,
961 registration or certificate is voluntarily surrendered or is not renewed,
962 the commissioner shall not be prohibited from suspending, revoking or
963 imposing other penalties permitted by law on any such license,
964 registration or certificate.

965 Sec. 22. Subsection (b) of section 51-164n of the general statutes is
966 repealed and the following is substituted in lieu thereof (*Effective from*
967 *passage*):

968 (b) Notwithstanding any provision of the general statutes, any person

969 who is alleged to have committed (1) a violation under the provisions of
970 section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-283, 7-325, 7-
971 393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-198, 10-230, 10-
972 251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g, subdivision (4)
973 of section 12-408, subdivision (3), (5) or (6) of section 12-411, section 12-
974 435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115,
975 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-143b, 13a-247 or 13a-
976 253, subsection (f) of section 13b-42, section 13b-90, 13b-221, 13b-292,
977 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c, subsection
978 (a), (b) or (c) of section 13b-412, section 13b-414, subsection (d) of section
979 14-12, section 14-20a or 14-27a, subsection (f) of section 14-34a,
980 subsection (d) of section 14-35, section 14-43, 14-49, 14-50a or 14-58,
981 subsection (b) of section 14-66, section 14-66a or 14-67a, subsection (g)
982 of section 14-80, subsection (f) of section 14-80h, section 14-97a, 14-100b,
983 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-153 or 14-163b, a first
984 violation as specified in subsection (f) of section 14-164i, section 14-219
985 as specified in subsection (e) of said section, subdivision (1) of section
986 14-223a, section 14-240, 14-250 or 14-253a, subsection (a) of section 14-
987 261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a, 14-278 or
988 14-279, subsection (e) or (h) of section 14-283, section 14-291, 14-293b, 14-
989 296aa, 14-300, 14-300d, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or
990 14-332a, subdivision (1), (2) or (3) of section 14-386a, section 15-25 or 15-
991 33, subdivision (1) of section 15-97, subsection (a) of section 15-115,
992 section 16-44, 16-256e, 16a-15 or 16a-22, subsection (a) or (b) of section
993 16a-22h, section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17b-124, 17b-
994 131, 17b-137, 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section
995 19a-87a, section 19a-91, 19a-105, 19a-107, 19a-113, 19a-215, 19a-219, 19a-
996 222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-
997 336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-
998 231, 20-249, 20-257, 20-265, 20-324e, subsection (b) of section 20-334, 20-
999 341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48,
1000 21-63 or 21-76a, subsection (c) of section 21a-2, as amended by this act,
1001 subdivision (1) of section 21a-19, section 21a-21, subdivision (1) of
1002 subsection (b) of section 21a-25, section 21a-26 or 21a-30, subsection (a)
1003 of section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-77, subsection (b)

1004 of section 21a-79, section 21a-85 or 21a-154, subdivision (1) of subsection
1005 (a) of section 21a-159, subsection (a) of section 21a-279a, section 22-12b,
1006 22-13, 22-14, 22-15, 22-16, 22-26g, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39,
1007 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49 or 22-54, subsection (f) of
1008 section 22-61m, subsection (d) of section 22-84, section 22-89, 22-90, 22-
1009 98, 22-99, 22-100, 22-111o, 22-167, 22-279, 22-280a, 22-318a, 22-320h, 22-
1010 324a, 22-326 or 22-342, subsection (b), (e) or (f) of section 22-344, section
1011 22-359, 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246,
1012 subsection (a) of section 22a-250, subsection (e) of section 22a-256h,
1013 section 22a-363 or 22a-381d, subsections (c) and (d) of section 22a-381e,
1014 section 22a-449, 22a-461, 23-38, 23-46 or 23-61b, subsection (a) or
1015 subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40,
1016 subsection (a) of section 25-43, section 25-43d, 25-135, 26-18, 26-19, 26-
1017 21, 26-31, 26-40, 26-40a, 26-42, 26-49, 26-54, 26-55, 26-56, 26-58 or 26-59,
1018 subdivision (1) of subsection (d) of section 26-61, section 26-64,
1019 subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94,
1020 26-97, 26-98, 26-104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138
1021 or 26-141, subdivision (1) of section 26-186, section 26-207, 26-215, 26-
1022 217 or 26-224a, subdivision (1) of section 26-226, section 26-227, 26-230,
1023 26-232, 26-244, 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286, 26-288, 26-
1024 294, 28-13, 29-6a, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d),
1025 (e) or (g) of section 29-161q, section 29-161y or 29-161z, subdivision (1)
1026 of section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of
1027 section 29-291c, section 29-316, 29-318, 29-381, 30-48a, 30-86a, 31-3, 31-
1028 10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-
1029 32, 31-36, 31-38, 31-40, 31-44, 31-47, 31-48, 31-51, 31-52, 31-52a or 31-54,
1030 subsection (a) or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76,
1031 31-76a, 31-89b or 31-134, subsection (i) of section 31-273, section 31-288,
1032 subdivision (1) of section 35-20, section 36a-787, 42-230, 45a-283, 45a-
1033 450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54, section
1034 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16, 53-133, 53-199,
1035 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-302a, 53-303e, 53-311a, 53-
1036 321, 53-322, 53-323, 53-331 or 53-344, subsection (c) of section 53-344b, or
1037 section 53-450, or (2) a violation under the provisions of chapter 268, or
1038 (3) a violation of any regulation adopted in accordance with the

1039 provisions of section 12-484, 12-487 or 13b-410, or (4) a violation of any
1040 ordinance, regulation or bylaw of any town, city or borough, except
1041 violations of building codes and the health code, for which the penalty
1042 exceeds ninety dollars but does not exceed two hundred fifty dollars,
1043 unless such town, city or borough has established a payment and
1044 hearing procedure for such violation pursuant to section 7-152c, shall
1045 follow the procedures set forth in this section.

1046 Sec. 23. Section 20-672 of the general statutes is repealed and the
1047 following is substituted in lieu thereof (*Effective from passage*):

1048 (a) Any person seeking a certificate of registration as a homemaker-
1049 companion agency shall apply to the Commissioner of Consumer
1050 Protection, in writing, on a form provided by the commissioner. The
1051 application shall include the applicant's name, residence address,
1052 business address, business telephone number and such other
1053 information as the commissioner may require. An applicant shall also
1054 be required to submit to state and national criminal history records
1055 checks in accordance with section 29-17a and to certify under oath to the
1056 commissioner that: (1) Such agency complies with the requirements of
1057 section 20-678, as amended by this act, concerning employee
1058 comprehensive background checks, (2) such agency provides all
1059 persons receiving homemaker or companion services with a written
1060 individualized contract or service plan that specifically identifies the
1061 anticipated scope, type, frequency and duration of homemaker or
1062 companion services provided by the agency to the person, (3) such
1063 agency maintains a surety bond or an insurance policy in an amount of
1064 not less than ten thousand dollars coverage, which coverage shall
1065 include theft by an employee of such agency from a person for whom
1066 homemaker or companion services are provided by the agency, and (4)
1067 all records maintained by such agency shall be open, at all reasonable
1068 hours, for inspection, copying or audit by the commissioner.

1069 (b) Each application for a certificate of registration as a homemaker-
1070 companion agency shall be accompanied by a fee of three [seventy-five]
1071 hundred seventy-five dollars.

1072 (c) Upon the failure by a homemaker-companion agency to comply
1073 with the registration provisions of this section, the Attorney General, at
1074 the request of the Commissioner of Consumer Protection, is authorized
1075 to apply in the name of the state of Connecticut to the Superior Court
1076 for an order temporarily or permanently restraining and enjoining a
1077 homemaker-companion agency from continuing to do business in the
1078 state.

1079 Sec. 24. Section 20-677 of the general statutes is repealed and the
1080 following is substituted in lieu thereof (*Effective from passage*):

1081 (a) Each person obtaining a homemaker-companion agency
1082 certificate of registration shall: (1) Exhibit the agency's certificate of
1083 registration upon request by any interested party, (2) state in any
1084 advertisement the fact that the agency is registered, and (3) include the
1085 agency's registration number in any advertisement.

1086 (b) No person shall: (1) Present or attempt to present, as such person's
1087 own, the certificate of another, (2) knowingly give false evidence of a
1088 material nature to the Commissioner of Consumer Protection for the
1089 purpose of procuring a certificate, (3) represent himself or herself falsely
1090 as, or impersonate, a registered homemaker-companion agency, (4) use
1091 or attempt to use a certificate which has expired or which has been
1092 suspended or revoked, (5) offer or provide homemaker or companion
1093 services without having a current certificate of registration under the
1094 provisions of sections 20-670 to 20-680, inclusive, or (6) represent in any
1095 manner that such person's registration constitutes an endorsement by
1096 the commissioner of the quality of services provided by such person.

1097 (c) In addition to any other remedy provided for in sections 20-670 to
1098 20-676, inclusive, any person who violates any provision of subsection
1099 (b) of this section shall be fined not more than one thousand dollars or
1100 imprisoned not more than six months, or both.

1101 (d) Certificates issued to a homemaker-companion agency shall not
1102 be transferable or assignable.

1103 (e) All certificates issued under the provisions of sections 20-670 to
1104 20-680, inclusive, shall expire annually. The fee for renewal of a
1105 certificate shall be the same as the fee charged for an original application
1106 pursuant to section 20-672, as amended by this act. Fees collected
1107 pursuant to the issuance of a certificate or renewal of a certificate shall
1108 be deposited in the General Fund.

1109 (f) Failure to receive a notice of expiration of registration or a renewal
1110 application shall not exempt a homemaker-companion agency from the
1111 obligation to renew.

1112 (g) (1) On or after July 1, 2021, no homemaker-companion agency
1113 applying for a new registration shall include in its business name any
1114 words that indicate or suggest that such agency provides any services
1115 beyond the scope of what is allowed pursuant to this chapter, including,
1116 but not limited to, words relating to medical or health care licensure or
1117 services, and (2) no homemaker-companion agency shall include in its
1118 advertising any words that indicate or suggest that such agency
1119 provides any services beyond the scope of what is allowed in this
1120 chapter including, but not limited to, words relating to medical or health
1121 care licensure or services.

1122 Sec. 25. (NEW) (*Effective from passage*) (a) No person, other than an
1123 immediate family member, who has an ownership interest in or who is
1124 a corporate officer of a homemaker-companion agency, or any employee
1125 or agent thereof, shall act as an agent under a power of attorney for any
1126 person contracted with such agency to receive homemaker or
1127 companion services. For purposes of this subsection, "immediate family
1128 member" means a parent, sibling, child by blood, adoption or marriage,
1129 spouse, grandparent or grandchild.

1130 (b) A person receiving homemaker or companion services may
1131 petition the Commissioner of Consumer Protection for an exception to
1132 the prohibition provided in subsection (a) of this section, which petition
1133 may be granted by the commissioner for good cause.

1134 Sec. 26. Section 20-678 of the general statutes is repealed and the

1135 following is substituted in lieu thereof (*Effective from passage*):

1136 On or after January 1, 2012, each homemaker-companion agency,
1137 prior to extending an offer of employment or entering into a contract
1138 with a prospective employee, shall require such prospective employee
1139 to submit to a [comprehensive] state and national criminal background
1140 check conducted in accordance with section 29-17a. On or after October
1141 1, 2021, no homemaker-companion agency shall extend an offer of
1142 employment or enter into a contract with a prospective employee who,
1143 in the last five years, has been released from incarceration after being:
1144 (1) Convicted of a criminal offense related to the delivery of an item or
1145 service under any state health care program, as defined in 42 USC 1320a-
1146 7(h); (2) convicted, under federal or state law, of a criminal offense
1147 relating to neglect or abuse of patients in connection with the delivery
1148 of a health care item or service; (3) convicted of a felony relating to fraud,
1149 theft, embezzlement, breach of fiduciary responsibility or other financial
1150 misconduct, in connection with the delivery of a health care item or
1151 service or with respect to any act or omission in a health care program
1152 operated by or financed, in whole or in part, by any federal, state or local
1153 government agency; (4) convicted of a felony, under federal or state law,
1154 relating to the unlawful manufacture, distribution, prescription or
1155 dispensing of a controlled substance; or (5) the subject of a substantiated
1156 finding of neglect, abuse, physical harm or misappropriation of
1157 property, the value of which exceeds two thousand dollars, by a state or
1158 federal agency. Notwithstanding the five-year look-back limitation,
1159 each homemaker-companion agency shall notify, in writing, all
1160 individuals receiving services of the agency's comprehensive
1161 background check policy and supporting state statute, as well as the
1162 individual's right to request and receive a copy of any materials
1163 obtained during the criminal background check. If, within the last five
1164 years, an applicant has been released from incarceration after being
1165 convicted of an offense enumerated in this section, the homemaker-
1166 companion agency or the prospective employee may submit a written
1167 petition to the commissioner requesting a waiver based on the
1168 circumstances of such offense, which may be granted in the sole

1169 discretion of the commissioner. In the event such a waiver is granted,
1170 the homemaker-companion agency shall provide the waiver approval
1171 letter to the individual receiving services, prior to commencing such
1172 services. Individuals receiving services shall have the right to request an
1173 alternative employee. In addition, each homemaker-companion agency
1174 shall require that such prospective employee complete and sign a form
1175 which contains questions as to whether the prospective employee was
1176 convicted of a crime involving violence or dishonesty in a state court or
1177 federal court in any state; or was subject to any decision imposing
1178 disciplinary action by a licensing agency in any state, the District of
1179 Columbia, a United States possession or territory or a foreign
1180 jurisdiction. Any prospective employee who makes a false written
1181 statement regarding such prior criminal convictions or disciplinary
1182 action shall be guilty of a class A misdemeanor. Each homemaker-
1183 companion agency shall maintain a paper or electronic copy of any
1184 materials obtained during the comprehensive background check and
1185 shall make such records available for inspection upon request of the
1186 Department of Consumer Protection.

1187 Sec. 27. Section 20-330 of the general statutes is repealed and the
1188 following is substituted in lieu thereof (*Effective from passage*):

1189 As used in this chapter:

1190 (1) "Contractor" means any person regularly offering to the general
1191 public services of such person or such person's employees in the field of
1192 electrical work, plumbing and piping work, solar work, heating, piping,
1193 cooling and sheet metal work, fire protection sprinkler systems work,
1194 elevator installation, repair and maintenance work, irrigation work,
1195 automotive glass work or flat glass work, as defined in this section;

1196 (2) "Electrical work" means the installation, erection, maintenance,
1197 inspection, testing, alteration or repair of any wire, cable, conduit,
1198 busway, raceway, support, insulator, conductor, appliance, apparatus,
1199 fixture or equipment that generates, transforms, transmits or uses
1200 electrical energy for light, heat, power or other purposes, but does not

1201 include low voltage wiring, not exceeding twenty-four volts, used
1202 within a lawn sprinkler system;

1203 (3) "Plumbing and piping work" means the installation, repair,
1204 replacement, alteration, maintenance, inspection or testing of gas, water
1205 and associated fixtures, tubing and piping mains and branch lines up to
1206 and including the closest valve to a machine or equipment used in the
1207 manufacturing process, laboratory equipment, sanitary equipment,
1208 other than subsurface sewage disposal systems, fire prevention
1209 apparatus, all water systems for human usage, sewage treatment
1210 facilities and all associated fittings within a building and includes lateral
1211 storm and sanitary lines from buildings to the mains, process piping,
1212 swimming pools and pumping equipment, and includes making
1213 connections to back flow prevention devices, and includes low voltage
1214 wiring, not exceeding twenty-four volts, used within a lawn sprinkler
1215 system, but does not include (A) solar thermal work performed
1216 pursuant to a certificate held as provided in section 20-334g, except for
1217 the repair of those portions of a solar hot water heating system that
1218 include the basic domestic hot water tank and the tie-in to the potable
1219 water system, (B) the installation, repair, replacement, alteration,
1220 maintenance, inspection or testing of fire prevention apparatus within a
1221 structure, except for standpipes that are not connected to sprinkler
1222 systems, (C) medical gas and vacuum systems work, and (D) millwright
1223 work. For the purposes of this subdivision, "process piping" means
1224 piping or tubing that conveys liquid or gas that is used directly in the
1225 production of a chemical or a product for human consumption;

1226 (4) "Solar thermal work" means the installation, erection, repair,
1227 replacement, alteration, maintenance, inspection or testing of active,
1228 passive and hybrid solar systems that directly convert ambient energy
1229 into heat or convey, store or distribute such ambient energy;

1230 (5) "Heating, piping and cooling work" means (A) the installation,
1231 repair, replacement, maintenance, inspection, testing or alteration of
1232 any apparatus for piping, appliances, devices or accessories for heating
1233 systems, including sheet metal work, (B) the installation, repair,

1234 replacement, maintenance, inspection, testing or alteration of air
1235 conditioning and refrigeration systems, boilers, including apparatus
1236 and piping for the generation or conveyance of steam and associated
1237 pumping equipment and process piping and the installation of tubing
1238 and piping mains and branch lines up to and including the closest valve
1239 to a machine or equipment used in the manufacturing process and
1240 onsite testing and balancing of hydronic, steam and combustion air, but
1241 excluding millwright work, and (C) on-site operation, by manipulating,
1242 adjusting or controlling, with sufficient technical knowledge, as
1243 determined by the commissioner, (i) heating systems with a steam or
1244 water boiler maximum operating pressure of fifteen pounds per square
1245 inch gauge or greater, or (ii) air conditioning or refrigeration systems
1246 with an aggregate of more than fifty horsepower or kilowatt
1247 equivalency of fifty horsepower or of two hundred pounds of
1248 refrigerant. Heating, piping and cooling work does not include solar
1249 thermal work performed pursuant to a certificate held as provided in
1250 section 20-334g, or medical gas and vacuum systems work or the passive
1251 monitoring of heating, air conditioning or refrigeration systems. For the
1252 purposes of this subdivision, "process piping" means piping or tubing
1253 that conveys liquid or gas that is used directly in the production of a
1254 chemical or a product for human consumption;

1255 (6) "Apprentice" means any person registered with the Labor
1256 Department for the purpose of learning a skilled trade;

1257 (7) "Elevator installation, repair and maintenance work" means the
1258 installation, erection, maintenance, inspection, testing and repair of all
1259 types of elevators, dumb waiters, escalators, and moving walks and all
1260 mechanical equipment, fittings, associated piping and wiring from a
1261 source of supply brought to the equipment room by an unlimited
1262 electrical contractor for all types of machines used to hoist or convey
1263 persons or materials, but does not include temporary hoisting machines
1264 used for hoisting materials in connection with any construction job or
1265 project, provided "elevator inspection" includes the visual examination
1266 of an elevator system or portion of a system, with or without the
1267 disassembly or removal of component parts;

1268 (8) "Elevator maintenance" means the lubrication, inspection, testing
1269 and replacement of controls, [hoistway] hoist way and car parts;

1270 (9) "Fire protection sprinkler systems work" means the layout, on-site
1271 fabrication, installation, alteration, maintenance, inspection, testing or
1272 repair of any automatic or manual sprinkler system designed for the
1273 protection of the interior or exterior of a building or structure from fire,
1274 or any piping or tubing and appurtenances and equipment pertaining
1275 to such system including overhead and underground water mains, fire
1276 hydrants and hydrant mains, standpipes and hose connections to
1277 sprinkler systems, sprinkler tank heaters excluding electrical wiring, air
1278 lines and thermal systems used in connection with sprinkler and alarm
1279 systems connected thereto, foam extinguishing systems or special
1280 hazard systems including water spray, foam, carbon dioxide or dry
1281 chemical systems, halon and other liquid or gas fire suppression
1282 systems, but does not include (A) any engineering design work
1283 connected with the layout of fire protection sprinkler systems, or (B) any
1284 work performed by employees of or contractors hired by a public water
1285 system, as defined in subsection (a) of section 25-33d;

1286 (10) "State Fire Marshal" means the State Fire Marshal appointed by
1287 the Commissioner of Administrative Services;

1288 (11) "Journeyman sprinkler fitter" means a specialized pipe fitter
1289 craftsman, experienced and skilled in the installation, alteration,
1290 maintenance and repair of fire protection sprinkler systems;

1291 (12) "Irrigation work" means making the connections to and the
1292 inspection and testing of back flow prevention devices, and low voltage
1293 wiring, not exceeding twenty-four volts, used within a lawn sprinkler
1294 system;

1295 (13) "Sheet metal work" means the onsite layout, installation, erection,
1296 replacement, repair or alteration, including, but not limited to, onsite
1297 testing and balancing of related life safety components, environmental
1298 air, heating, ventilating and air conditioning systems by manipulating,
1299 adjusting or controlling such systems for optimum balance performance

1300 of any duct work system, ferrous, nonferrous or other material for
1301 ductwork systems, components, devices, air louvers or accessories, in
1302 accordance with the State Building Code;

1303 (14) "Journeyman sheet metal worker" means an experienced
1304 craftsman skilled in the installation, erection, replacement, repair or
1305 alteration of duct work systems, both ferrous and nonferrous;

1306 (15) "Automotive glass work" means installing, maintaining or
1307 repairing fixed glass in motor vehicles;

1308 (16) "Flat glass work" means installing, maintaining or repairing glass
1309 in residential or commercial structures;

1310 (17) "Medical gas and vacuum systems work" means the work and
1311 practice, materials, instrumentation and fixtures used in the
1312 construction, installation, alteration, extension, removal, repair,
1313 maintenance, inspection, testing or renovation of gas and vacuum
1314 systems and equipment used solely to transport gases for medical
1315 purposes and to remove liquids, air-gases or solids from such systems;

1316 (18) "Solar electricity work" means the installation, erection, repair,
1317 replacement, alteration, maintenance, inspection and testing of
1318 photovoltaic or wind generation equipment used to distribute or store
1319 ambient energy for heat, light, power or other purposes to a point
1320 immediately inside any structure or adjacent to an end use;

1321 (19) "Active solar system" means a system that uses an external source
1322 of energy to power a motor-driven fan or pump to force the circulation
1323 of a fluid through solar heat collectors and which removes the sun's heat
1324 from the collectors and transports such heat to a location where it may
1325 be used or stored;

1326 (20) "Passive solar system" means a system that is capable of
1327 collecting or storing the sun's energy as heat without the use of a motor-
1328 driven fan or pump;

1329 (21) "Hybrid solar system" means a system that contains components

1330 of both an active solar system and a passive solar system;

1331 (22) "Gas hearth product work" means the installation, service,
1332 inspection, testing or repair of a propane or natural gas fired fireplace,
1333 fireplace insert, stove or log set and associated venting and piping that
1334 simulates a flame of a solid fuel fire. "Gas hearth product work" does
1335 not include (A) fuel piping work, (B) the servicing of fuel piping, or (C)
1336 work associated with pressure regulating devices, except for appliances
1337 gas valves;

1338 (23) "Millwright work" means the installation, repair, replacement,
1339 maintenance or alteration, including the inspection and testing, of (A)
1340 power generation machinery, or (B) industrial machinery, including the
1341 related interconnection of piping and tubing used in the manufacturing
1342 process, but does not include the performance of any action for which
1343 licensure is required under this chapter;

1344 (24) "Inspection" means the examination of a system or portion of a
1345 system, involving the disassembly or removal of component parts of the
1346 system; [and]

1347 (25) "Testing" means to determine the status of a system as intended
1348 for its use, with or without the disassembly of component parts of the
1349 system, by the use of testing and measurement instruments;

1350 (26) "Owner" means a person who owns or resides in a private
1351 residence and includes any agent thereof, including, but not limited to,
1352 a condominium association. An owner of a private residence shall not
1353 be required to reside in such residence to be deemed an owner under
1354 this subdivision;

1355 (27) "Person" means an individual, partnership, limited liability
1356 company or corporation; and

1357 (28) "Residential property" means a single family dwelling, a
1358 multifamily dwelling consisting of not more than six units, or a unit,
1359 common element or limited common element in a condominium, as

1360 defined in section 47-68a, or in a common interest community, as
1361 defined in section 47-202, or any number of condominium units for
1362 which a condominium association acts as an agent for such unit owners.

1363 Sec. 28. (NEW) (*Effective January 1, 2022*) (a) No contract to perform
1364 work by a contractor licensed pursuant to chapter 393 of the general
1365 statutes and any person who owns or controls a business engaged to
1366 provide the work or services licensed under the provisions of said
1367 chapter by persons licensed for such work shall be valid or enforceable
1368 against an owner unless it: (1) Is in writing; (2) is signed by the owner
1369 and the contractor or business; (3) contains the entire agreement
1370 between the owner and the contractor or business; (4) contains the date
1371 of the transaction; (5) contains the name and address of the contractor
1372 and the contractor's license number or, in the case of a business, the
1373 name of the business owner, partner or limited liability member, and
1374 the phone number, and address of the business, partnership or limited
1375 liability company; (6) contains the name and license number of the
1376 licensees performing the work; (7) contains a notice of the owner's
1377 cancellation rights in accordance with the provisions of chapter 740 of
1378 the general statutes; and (8) contains a starting date and completion
1379 date.

1380 (b) Each change in the terms and conditions of a contract specified in
1381 subsection (a) of this section shall be in writing and shall be signed by
1382 the owner and contractor or business, except that the commissioner
1383 may, by regulations adopted pursuant to chapter 54 of the general
1384 statutes, dispense with the necessity for complying with such
1385 requirement.

1386 Sec. 29. Subsection (c) of section 20-334 of the general statutes is
1387 repealed and the following is substituted in lieu thereof (*Effective from*
1388 *passage*):

1389 (c) The Commissioner of Consumer Protection and each board
1390 established under section 20-331 may suspend or revoke any license or
1391 certificate granted or issued by it under this chapter if the holder of such

1392 license or certificate is convicted of a felony, is grossly incompetent,
1393 engages in malpractice or unethical conduct or knowingly makes false,
1394 misleading or deceptive representations regarding his work or violates
1395 the regulations adopted under this chapter. Before any such license is
1396 suspended or revoked, such holder shall be given notice and
1397 opportunity for hearing as provided in regulations adopted by the
1398 Commissioner of Consumer Protection. Any person whose license has
1399 been suspended or revoked may, [after] not later than ninety days after
1400 such suspension or revocation, apply to the board demonstrating good
1401 cause to have such license reinstated. Any such suspension or
1402 revocation of a license or certification by the board shall be a proposed
1403 final decision and submitted to the commissioner in accordance with the
1404 provisions of subsection (b) of section 21a-7.

1405 Sec. 30. Subsection (a) of section 20-306 of the general statutes is
1406 repealed and the following is substituted in lieu thereof (*Effective from*
1407 *passage*):

1408 (a) (1) The Department of Consumer Protection shall notify each
1409 person licensed under this chapter of the date of the expiration of such
1410 license and the amount of the fee required for its renewal for one year.
1411 Such license renewals shall be accompanied by the payment of the
1412 professional services fee for class G, as defined in section 33-182*l*, in the
1413 case of a professional engineer license, a professional engineer and land
1414 surveyor combined license, or a land surveyor license. The license shall
1415 be considered lapsed if not renewed [within thirty days following the
1416 normal] on or before the expiration date.

1417 (2) Annual renewal of an engineer-in-training license or a surveyor-
1418 in-training license shall not be required. Any such license shall remain
1419 valid for a period of ten years from the date of its original issuance and,
1420 during this time, it shall meet in part the requirements for licensure as a
1421 professional engineer or land surveyor. It shall not be the duty of the
1422 department to notify the holder of an engineer-in-training license or a
1423 surveyor-in-training license of the date of expiration of such license
1424 other than to publish it annually in the roster.

1425 (3) Renewal of any license under this chapter or payment of renewal
1426 fees shall not be required of any licensee serving in the armed forces of
1427 the United States until the next renewal period immediately following
1428 the termination of such service or the renewal period following the fifth
1429 year after such licensee's entry into such service, whichever occurs first.
1430 The status of such licensees shall be indicated in the annual roster of
1431 professional engineers and land surveyors.

1432 Sec. 31. Subsection (f) of section 20-314 of the general statutes is
1433 repealed and the following is substituted in lieu thereof (*Effective from*
1434 *passage*):

1435 (f) All licenses issued under the provisions of this chapter shall expire
1436 annually. At the time of application for a real estate broker's license,
1437 there shall be paid to the commission, for each individual applicant and
1438 for each proposed active member or officer of a firm, partnership,
1439 association or corporation, the sum of five hundred sixty-five dollars,
1440 and for the annual renewal thereof, the sum of three hundred seventy-
1441 five dollars, [and] except that for licenses expiring on March 31, 2021, a
1442 prorated renewal fee shall be charged to reflect the fact that the March
1443 2021 renewal will expire on November 30, 2022. At the time of
1444 application for a real estate salesperson's license, there shall be paid to
1445 the commission two hundred eighty-five dollars and for the annual
1446 renewal thereof the sum of two hundred eighty-five dollars. Three
1447 dollars of each such annual renewal fee shall be payable to the Real
1448 Estate Guaranty Fund established pursuant to section 20-324a. [If a
1449 license is not issued, the fee shall be returned.] A real estate broker's
1450 license issued to any partnership, association or corporation shall entitle
1451 the individual designated in the application, as provided in section 20-
1452 312, upon compliance with the terms of this chapter, but without the
1453 payment of any further fee, to perform all of the acts of a real estate
1454 broker under this chapter on behalf of such partnership, association or
1455 corporation. Any license which expires and is not renewed pursuant to
1456 this subsection may be reinstated by the commission, if, not later than
1457 two years after the date of expiration, the former licensee pays to the
1458 commission for each real estate broker's license the sum of three

1459 hundred seventy-five dollars and for each real estate salesperson's
1460 license the sum of two hundred eighty-five dollars for each year or
1461 fraction thereof from the date of expiration of the previous license to the
1462 date of payment for reinstatement, except that any licensee whose
1463 license expired after such licensee entered military service shall be
1464 reinstated without payment of any fee if an application for
1465 reinstatement is filed with the commission within two years after the
1466 date of expiration. Any such reinstated broker license shall expire on the
1467 next succeeding [March thirty-first for real estate brokers] November
1468 thirtieth, except that any broker license that is reinstated before March
1469 31, 2021. Any such reinstated real estate sales person license shall expire
1470 [or] the next succeeding May thirty-first. [for real estate salespersons.]

1471 Sec. 32. Subsection (b) of section 20-317 of the general statutes is
1472 repealed and the following is substituted in lieu thereof (*Effective from*
1473 *passage*):

1474 (b) Every applicant licensed in another state shall file an irrevocable
1475 consent that suits and actions may be commenced against such
1476 applicant in the proper court in any judicial district of the state in which
1477 a cause of action may arise or in which the plaintiff may reside, by the
1478 service of any process or pleading, authorized by the laws of this state,
1479 on the chairperson of the commission, such consent stipulating and
1480 agreeing that such service of such process or pleading shall be taken and
1481 held in all courts to be as valid and binding as if service had been made
1482 upon such applicant in the state of Connecticut. If any process or
1483 pleadings under this chapter are served upon the chairperson, it shall
1484 be by duplicate copies, one of which shall be filed in the office of the
1485 commission, and the other immediately forwarded by registered or
1486 certified mail, to the applicant against whom such process or pleadings
1487 are directed, at the last-known address of such applicant as shown by
1488 the records of the [commission] department. No default in any such
1489 proceedings or action shall be taken unless it appears by affidavit of the
1490 chairperson of the commission that a copy of the process or pleading
1491 was mailed to the defendant as required by this subsection, and no
1492 judgment by default shall be taken in any such action or proceeding

1493 within twenty days after the date of mailing of such process or pleading
1494 to the out-of-state defendant.

1495 Sec. 33. Subsection (b) of section 20-319 of the general statutes is
1496 repealed and the following is substituted in lieu thereof (*Effective from*
1497 *passage*):

1498 (b) There is hereby established an annual renewal license to be issued
1499 by the Department of Consumer Protection. Persons licensed in
1500 accordance with the provisions of this chapter shall fulfill a continuing
1501 education requirement. Applicants for an annual renewal license for
1502 real estate brokers or real estate salespersons shall, in addition to the
1503 other requirements imposed by the provisions of this chapter, in any
1504 even-numbered year, submit proof of compliance with the continuing
1505 education requirements of this subsection to the commission, [
1506 accompanied by an eight-dollar] Each licensee shall pay an annual four-
1507 dollar continuing education processing fee to cover costs associated
1508 with the review and auditing of continuing education submissions. The
1509 continuing education requirement may be satisfied by successful
1510 completion of any of the following during the two-year period
1511 preceding such renewal: (1) A course or courses, approved by the
1512 commission, of continuing education in current real estate practices and
1513 licensing laws, including, but not limited to, practices and laws
1514 concerning common interest communities, consisting of not less than
1515 twelve hours of classroom study; or (2) a written examination prepared
1516 and administered by either the Department of Consumer Protection, or
1517 by a national testing service approved by the department, which
1518 demonstrates a knowledge of current real estate practices and licensing
1519 laws; or (3) equivalent continuing educational experience or study as
1520 determined by regulations adopted pursuant to subsection (d) of this
1521 section. An applicant for examination under subdivision (2) of this
1522 subsection shall pay the required examination fee to the national testing
1523 service, if administered by such testing service, or to the Department of
1524 Consumer Protection, if administered by the department.

1525 Sec. 34. Subsection (d) of section 20-427 of the general statutes is

1526 repealed and the following is substituted in lieu thereof (*Effective from*
1527 *passage*):

1528 (d) The commissioner may, after notice and hearing in accordance
1529 with the provisions of chapter 54, impose a civil penalty on any person
1530 who engages in or practices the work or occupation for which a
1531 certificate of registration is required by this chapter without having first
1532 obtained such a certificate of registration or who wilfully employs or
1533 supplies for employment a person who does not have such a certificate
1534 of registration or who wilfully and falsely pretends to qualify to engage
1535 in or practice such work or occupation, or who engages in or practices
1536 any of the work or occupations for which a certificate of registration is
1537 required by this chapter after the expiration of such person's certificate
1538 of registration or who violates any of the provisions of this chapter or
1539 the regulations adopted pursuant thereto. Such penalty shall be in an
1540 amount not more than five hundred dollars for a first violation of this
1541 subsection, not more than seven hundred fifty dollars for a second
1542 violation of this subsection occurring not more than three years after a
1543 prior violation, not more than one thousand five hundred dollars for a
1544 third or subsequent violation of this subsection occurring not more than
1545 three years after a prior violation and, in the case of radon mitigation
1546 work, such penalty shall be not less than two hundred fifty dollars. Any
1547 civil penalty collected pursuant to this subsection shall be deposited in
1548 the consumer protection enforcement account established in section
1549 21a-8a.

1550 Sec. 35. Subsection (f) of section 20-427 of the general statutes is
1551 repealed and the following is substituted in lieu thereof (*Effective from*
1552 *passage*):

1553 (f) All certificates issued under the provisions of this chapter shall
1554 expire annually on March thirty-first, except that certificates which
1555 expire on November 30, 2021, shall be renewed on November 30, 2021,
1556 and will expire on March 31, 2022. The fee for renewal of a certificate
1557 shall be the same as the fee charged for an original application, except
1558 that for certificates which expire on March 31, 2021, a prorated renewal

1559 fee shall be charged to reflect the portion of the year for which the
1560 certificate will be active.

1561 Sec. 36. Subsection (d) of section 21-67 of the general statutes is
1562 repealed and the following is substituted in lieu thereof (*Effective from*
1563 *passage*):

1564 (d) The department shall, upon receipt of a renewal application,
1565 accompanied by the annual license fee, [and after inspection of the
1566 mobile manufactured home park and determination that the park
1567 continues to conform with the requirements of this chapter,] issue a
1568 renewal license, unless the park fails to conform with the requirements
1569 of this chapter based on an inspection, which shall have been performed
1570 in the prior year.

1571 Sec. 37. Section 21-71 of the general statutes is repealed and the
1572 following is substituted in lieu thereof (*Effective from passage*):

1573 (a) The department may revoke, suspend, place conditions on or
1574 refuse to renew any license to operate a mobile manufactured home
1575 park for a violation of any provision of this chapter or any regulations
1576 issued hereunder or any other state or local law or regulation, after
1577 hearing, except that if the department upon investigation finds a
1578 licensee is not providing adequate sewerage facilities, electrical,
1579 plumbing or sanitary services, water supply or fire protection,
1580 suspension of the license shall be automatic, provided such licensee
1581 shall be entitled to a hearing before the department within [five] 30 days
1582 after such suspension. A license may be reinstated or reissued if the
1583 circumstances leading to the violation have been remedied and the park
1584 is being maintained and operated in full compliance with this chapter
1585 and the regulations hereunder. Each officer, board, commission or
1586 department of the state or any local government shall assist the
1587 department with technical data on sewerage facilities, electrical,
1588 plumbing or sanitary services, water supply or fire protection and shall
1589 submit such data to the department for the department's use in any
1590 hearing held pursuant to this section. In addition to revoking,

1591 suspending, placing conditions on, or refusing to renew any license to
1592 operate a mobile manufactured home park, the department may impose
1593 a fine after an administrative hearing of not less than fifty nor more than
1594 three hundred dollars for each day that such violation [continues] exists.
1595 In connection with any investigation the Commissioner of Consumer
1596 Protection or the commissioner's authorized agent may administer
1597 oaths, issue subpoenas, compel testimony and order the production of
1598 books, records and documents. [The commissioner may issue an
1599 appropriate order to any owner found to be in violation of any provision
1600 of this chapter or any regulation issued hereunder, providing for the
1601 immediate discontinuance of the violation.] Each owner shall retain all
1602 leases, disclosure statements, rules and regulations required under this
1603 chapter for at least four years after any resident to whom they relate
1604 vacates the park.

1605 (b) If an inspection by the department reveals a violation of any
1606 provision of this chapter or any regulation issued hereunder, the cost of
1607 all reinspections necessary to determine compliance with any such
1608 provision shall be assumed by the owner, except that if a first
1609 reinspection indicates compliance with such provision, no charge shall
1610 be made. As part of an inspection or investigation, the department may
1611 order an owner of a mobile manufactured park to obtain an
1612 independent inspection report, at the sole cost of the owner, that
1613 assesses the condition and potential public health impact of a condition
1614 at the park, including, but not limited to, the condition of trees and
1615 electrical, plumbing or sanitary systems.

1616 [(b)] (c) In addition to any other available remedies, the provisions of
1617 section 47a-14h shall be available to all residents in a mobile
1618 manufactured home park including residents who own their own units.

1619 (d) The department may issue an order to any owner determined to
1620 be in violation of any provision of this chapter or any regulation issued
1621 hereunder after an inspection of a park, providing for the immediate
1622 discontinuance of the violation or timely remediation of such violation.
1623 Any owner of a mobile manufactured park that fails to comply with

1624 orders in a notice of violation resulting from a reinspection of a park not
1625 later than thirty days after of issuance of such notice, including
1626 confirmation of active licensure, may be fined five hundred dollars per
1627 violation by the commissioner pursuant to section 51-164n, as amended
1628 by this act.

1629 Sec. 38. Subsection (c) of section 20-281c of the general statutes is
1630 repealed and the following is substituted in lieu thereof (*Effective from*
1631 *passage*):

1632 (c) An applicant may apply to take the examination if such person₂
1633 [holds a baccalaureate degree, or its equivalent, conferred by a college
1634 or university acceptable to the board, with an accounting concentration
1635 or equivalent] at the time of the examination, completed not less than
1636 one hundred twenty semester hours of education, as determined by the
1637 board by regulation to be appropriate. The educational requirements for
1638 a certificate shall be prescribed in regulations to be adopted by the board
1639 as follows:

1640 (1) Until December 31, 1999, a baccalaureate degree or its equivalent
1641 conferred by a college or university acceptable to the board, with an
1642 accounting concentration or equivalent as determined by the board by
1643 regulation to be appropriate;

1644 (2) After January 1, 2000, at least one hundred fifty semester hours of
1645 college education including a baccalaureate or higher degree conferred
1646 by a college or university acceptable to the board. The total educational
1647 program shall include an accounting concentration or equivalent, as
1648 determined by the board by regulation to be appropriate.

1649 Sec. 39. Section 20-281d of the general statutes is repealed and the
1650 following is substituted in lieu thereof (*Effective October 1, 2021*):

1651 (a) The board shall issue or renew licenses to persons who make
1652 application and demonstrate their qualifications in accordance with
1653 subsections (b) to (g), inclusive, of this section.

1654 (b) Licenses shall be initially issued for one year and renewed
1655 annually. Applications for such licenses shall be made in such form, and
1656 in the case of applications for renewal, between such dates, as the board
1657 shall by regulation adopted in accordance with the provisions of chapter
1658 54 specify.

1659 (c) An applicant for initial issuance of a license under this section shall
1660 show:

1661 (1) That [he] such applicant holds a valid certificate;

1662 (2) If the applicant's certificate was issued more than four years prior
1663 to his or her application for issuance of an initial license under this
1664 section, that he or she has fulfilled the requirements of continuing
1665 professional education that would have been applicable under
1666 subsection (e) of this section if he or she had secured his or her initial
1667 license within four years of issuance of his or her certificate and was
1668 now applying under subsection (e) of this section for renewal of such
1669 license.

1670 (d) The board shall issue a certificate to a holder of a certificate issued
1671 by another state upon a showing that:

1672 (1) The applicant passed the examination required for issuance of his
1673 or her certificate with grades that would have been passing grades at
1674 the time in this state; and

1675 (2) The applicant meets all current requirements in this state for
1676 issuance of a certificate at the time the application is made; or the
1677 applicant, at the time of the issuance of the applicant's certificate in the
1678 other state, met all such requirements then applicable in this state; or the
1679 applicant has had five years of experience in the practice of public
1680 accountancy no earlier than the ten years immediately preceding the
1681 applicant's application or meets equivalent requirements prescribed by
1682 the board by regulation.

1683 (e) For renewal of a license under this section, an applicant shall show

1684 that he or she has completed forty hours of continuing professional
1685 education during each year from the date of issuance or last renewal. A
1686 renewal applicant who has a principal place of business outside of this
1687 state may show compliance with the provisions of this subsection by
1688 certifying in writing that he or she has completed the continuing
1689 professional education requirements in the state of the applicant's
1690 principal place of business during each year from the date of his or her
1691 license issuance or last renewal. The board may prescribe, by regulation
1692 adopted in accordance with the provision of chapter 54, the content,
1693 duration and organization of continuing professional education courses
1694 which contribute to the general professional competence of the
1695 applicant.

1696 (f) For renewal of a license under this section, the board shall charge
1697 the following fees for failure to earn continuing education credits by the
1698 June thirtieth deadline:

1699 (1) Three hundred fifteen dollars for reporting on a renewal
1700 application a minimum of forty hours of continuing professional
1701 education, any of which was earned after June thirtieth and on or by
1702 September thirtieth;

1703 (2) Six hundred twenty-five dollars for reporting on a renewal
1704 application a minimum of forty hours of continuing professional
1705 education any of which was earned after June thirtieth and on or by
1706 December thirty-first.

1707 (g) The board shall charge a fee of one hundred fifty dollars for the
1708 initial issuance and the professional services fee for class I, as defined in
1709 section 33-182l, for each annual renewal of such license.

1710 (h) Applicants for initial issuance or renewal of licenses under this
1711 section shall in their applications list all states in which they have
1712 applied for or hold certificates or licenses, and each holder of or
1713 applicant for a license under this section shall notify the board in
1714 writing, within thirty days after its occurrence, of any issuance, denial,
1715 revocation or suspension of a certificate or license by another state.

1716 (i) The board shall administer an online renewal system for licenses
1717 renewed pursuant to this section. Each applicant for renewal pursuant
1718 to this section shall use such online renewal system and shall pay the
1719 applicable renewal fee using a credit card or via electronic funds transfer
1720 from a bank or credit union account. A licensee may request a waiver of
1721 such renewal requirements due to extenuating circumstances and the
1722 board may allow such licensee to renew his or her license using a paper
1723 form.

1724 Sec. 40. Subsection (c) of section 20-281k of the general statutes is
1725 repealed and the following is substituted in lieu thereof (*Effective July 1,*
1726 *2021*):

1727 (c) [Nothing in this section shall require a licensee to keep any
1728 workpaper beyond the period prescribed in any other applicable
1729 statute, except that any] A licensee shall ensure that any work product
1730 and workpaper created in the performance of an engagement for a client
1731 are retained for not less than seven years after creation of such work
1732 product and workpaper, unless the licensee is required by law to retain
1733 such records for a longer period. Any work product or workpaper
1734 prepared by a licensee in the course of an audit of a corporation the
1735 securities of which are registered under Section 12 of the Securities
1736 Exchange Act of 1934, as from time to time amended, or that is required
1737 to file reports under Section 15(d) of the Securities Exchange Act of 1934,
1738 as from time to time amended, shall be retained for the period described
1739 in section 33-1332.

1740 Sec. 41. Section 20-281l of the general statutes is repealed and the
1741 following is substituted in lieu thereof (*Effective October 1, 2021*):

1742 [(a) Except as expressly permitted by this section, a licensee shall not:
1743 (1) Pay a fee or commission to obtain a client; or (2) accept a fee or
1744 commission for referring a client to the products or services of a third
1745 party.

1746 (b) A licensee, who is not performing any of the services set forth in
1747 subsection (c) of this section and who complies with the provisions of

1748 subsection (d) of this section, may accept a fee or commission for
1749 referring a client to the products or services of a third party if such
1750 referral is made in conjunction with professional services provided to
1751 the client by such licensee making such referral. Nothing in this
1752 subsection shall be construed to permit the solicitation or acceptance of
1753 a fee or commission solely for the referral of a client to a third party.]

1754 [(c)] (a) A licensee shall not [perform services for] recommend or refer
1755 any product or service to a client for a commission and shall not accept
1756 a commission from a client during the period that the licensee is
1757 performing for such client any of the following services or during the
1758 period that is covered by any historical financial statements that are
1759 involved in any of the following services: (1) An audit or review of a
1760 financial statement; (2) a compilation of a financial statement if the
1761 licensee expects or [has reasonable cause to] might reasonably expect
1762 that a third party will use the financial statement and the licensee's
1763 compilation report does not disclose a lack of independence; or (3) an
1764 examination of prospective financial information.

1765 [(d)] (b) A licensee who is not prohibited under this section from
1766 performing services for a [fee or] commission or from accepting a [fee
1767 or] commission and who is paid or expects to be paid a [fee or]
1768 commission shall disclose such payment or expectation to any [client or
1769 other] person or entity to whom such licensee recommends or refers a
1770 product or service to which the [fee or] commission relates.

1771 [(e) As used in this section, "fee" includes, but is not limited to, a
1772 commission, rebate, preference, discount or any other consideration.

1773 (f) This section does not prohibit payments for the purchase of all, or
1774 a material part, of an accounting practice, or retirement payments to
1775 individuals who are or were formerly engaged in the practice of public
1776 accountancy, or payments to the heirs or estates of such individuals.

1777 (g) Nothing in this section shall be construed to relieve a licensee from
1778 any requirement under federal or state law that obligates such licensee
1779 to obtain a license or authorization prior to referring a client to the

1780 products or services of a third party, including, but not limited to, any
1781 license requirements under federal or state securities or insurance laws.]

1782 Sec. 42. Section 20-281m of the general statutes is repealed and the
1783 following is substituted in lieu thereof (*Effective October 1, 2021*):

1784 (a) A licensee shall not, during any period in which the licensee is
1785 engaged to perform any of the services listed in this subsection or during
1786 any period covered by any historical financial services involved in any
1787 of such services: (1) Perform for a contingent fee any of the following
1788 professional services, or accept a contingent fee from a client for whom
1789 the licensee or the licensee's firm performs any of the following services:
1790 (A) An audit or review of a financial statement; (B) a compilation of a
1791 financial statement if the licensee expects or has reasonable cause to
1792 expect that a third party will use the financial statement and the
1793 licensee's compilation report does not disclose a lack of independence;
1794 or (C) an examination of prospective financial information, or (2)
1795 prepare an original or amended tax return or claim for a tax refund for
1796 a contingent fee for any client.

1797 (b) As used in this section, "contingent fee" means a fee established
1798 for the performance of a service that will not be charged unless a
1799 specified finding or result is attained or in which the amount of the fee
1800 is dependent on a specified finding or result of such service. "Contingent
1801 fee" does not include: (1) A fee fixed by courts or other [public]
1802 governmental authorities; (2) a fee in a tax matter that is based on the
1803 results of judicial proceedings or the findings of governmental agencies;
1804 or (3) a fee that varies based solely on the complexity of the services
1805 rendered.

1806 [(c) A contingent fee arrangement between a licensee and a client
1807 shall be in writing and shall state the method by which the fee is
1808 determined.]

1809 Sec. 43. Subsection (b) of section 20-691 of the general statutes is
1810 repealed and the following is substituted in lieu thereof (*Effective from*
1811 *passage*):

1812 (b) (1) A person seeking registration as a locksmith shall apply to the
1813 commissioner on a form provided by the commissioner. The application
1814 shall include the applicant's name, residence address, business address,
1815 business telephone number, a question as to whether the applicant has
1816 been convicted of a felony in any state or jurisdiction, and such other
1817 information as the commissioner may require. The applicant shall
1818 submit to a request by the commissioner for a [recent] state and national
1819 criminal history records check conducted pursuant to section 29-17a. No
1820 registration shall be issued unless the commissioner has received the
1821 results of a such records check. In accordance with the provisions of
1822 section 46a-80 and after a hearing held pursuant to chapter 54, the
1823 commissioner may revoke, refuse to issue or refuse to renew a
1824 registration when an applicant's criminal history records check reveals
1825 the applicant has been convicted of a crime of dishonesty, fraud, theft,
1826 assault, other violent offense or a crime related to the performance of
1827 locksmithing.

1828 (2) The application fee for registration as a locksmith and the biennial
1829 renewal fee for such registration shall be two hundred dollars.

1830 (3) The department shall establish and maintain a registry of
1831 locksmiths. The registry shall contain the names and addresses of
1832 registered locksmiths and such other information as the commissioner
1833 may require. Such registry shall be updated at least annually by the
1834 department, be made available to the public upon request and be
1835 published on the department's Internet web site.

1836 (4) No person shall engage in locksmithing, use the title locksmith or
1837 display or use any words, letters, figures, title, advertisement or other
1838 method to indicate said person is a locksmith unless such person has
1839 obtained a registration as provided in this section.

1840 (5) The following persons shall be exempt from registration as a
1841 locksmith, but only if the person performing the service does not hold
1842 himself or herself out to the public as a locksmith: (A) Persons employed
1843 by a state, municipality or other political subdivision, or by any agency

1844 or department of the government of the United States, acting in their
1845 official capacity; (B) automobile service dealers who service, install,
1846 repair or rebuild automobile locks; (C) retail merchants selling locks or
1847 similar security accessories or installing, programming, repairing,
1848 maintaining, reprogramming, rebuilding or servicing electronic garage
1849 door devices; (D) members of the building trades who install or remove
1850 complete locks or locking devices in the course of residential or
1851 commercial new construction or remodeling; (E) employees of towing
1852 services, repossessioners, or an automobile club representative or
1853 employee opening automotive locks in the normal course of his or her
1854 business. The provisions of this section shall not prohibit an employee
1855 of a towing service from opening motor vehicles to enable a vehicle to
1856 be moved without towing, provided the towing service does not hold
1857 itself out to the public, by directory advertisement, through a sign at the
1858 facilities of the towing service or by any other form of advertisement, as
1859 a locksmith; (F) students in a course of study in locksmith programs
1860 approved by the department; (G) warranty services by a lock
1861 manufacturer or its employees on the manufacturer's own products; (H)
1862 maintenance employees of a property owner or property management
1863 companies at multifamily residential buildings, who service, install,
1864 repair or open locks for tenants; and (I) persons employed as security
1865 personnel at schools or institutions of higher education who open locks
1866 while acting in the course of their employment.

1867 Sec. 44. Subsection (d) of section 20-432 of the general statutes is
1868 repealed and the following is substituted in lieu thereof (*Effective from*
1869 *passage*):

1870 (d) Whenever an owner obtains a court judgment, order or decree
1871 against any contractor holding a certificate or who has held a certificate
1872 under this chapter within [the past] two years of the effective date of
1873 entering into the contract with the owner, for loss or damages sustained
1874 by reason of performance of or offering to perform a home improvement
1875 within this state by a contractor holding a certificate under this chapter,
1876 such owner may, upon the final determination of, or expiration of time
1877 for, taking an appeal in connection with any such judgment, order or

1878 decree, apply to the commissioner for an order directing payment out
 1879 of said guaranty fund of the amount unpaid upon the judgment, order
 1880 or decree, for actual damages and costs taxed by the court against the
 1881 contractor, exclusive of punitive damages. The application shall be
 1882 made on forms provided by the commissioner and shall be
 1883 accompanied by a copy of the court judgment, order or decree obtained
 1884 against the contractor together with an [a notarized] affidavit [, signed
 1885 and sworn to by the owner,] affirming that: (1) He or she has complied
 1886 with all the requirements of this subsection; (2) he or she has obtained a
 1887 judgment, order or decree, stating the amount thereof and the amount
 1888 owing thereon at the date of application; and (3) he or she has caused to
 1889 be issued a writ of execution upon said judgment, order or decree and
 1890 the officer executing the same has made a return showing that no bank
 1891 accounts or personal property of the contractor liable to be levied upon
 1892 in satisfaction of the judgment, order or decree could be found, or that
 1893 the amount realized on the sale of them or of such of them as were
 1894 found, under the execution, was insufficient to satisfy the actual damage
 1895 portion of the judgment, order or decree or stating the amount realized
 1896 and the balance remaining due on the judgment, order or decree after
 1897 application thereon of the amount realized, except that the requirements
 1898 of this subdivision shall not apply to a judgment, order or decree
 1899 obtained by the owner in small claims court. A true and attested copy
 1900 of said executing officer's return, when required, shall be attached to
 1901 such application and affidavit. No application for an order directing
 1902 payment out of the guaranty fund shall be made later than two years
 1903 after the final determination of, or expiration of time for, taking an
 1904 appeal of said court judgment, order or decree.

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|---|---------------------|-----------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | 16-50j(g) |
| Sec. 2 | <i>July 1, 2021</i> | 20-500 |
| Sec. 3 | <i>July 1, 2021</i> | 20-529(c) |
| Sec. 4 | <i>July 1, 2021</i> | 20-529b |
| Sec. 5 | <i>July 1, 2021</i> | 20-517(c) |
| Sec. 6 | <i>July 1, 2021</i> | 20-295b |

| | | |
|---------|------------------------|-------------|
| Sec. 7 | <i>July 1, 2021</i> | 20-292 |
| Sec. 8 | <i>from passage</i> | 20-452(a) |
| Sec. 9 | <i>from passage</i> | 20-453 |
| Sec. 10 | <i>from passage</i> | 20-457 |
| Sec. 11 | <i>from passage</i> | 20-458(b) |
| Sec. 12 | <i>from passage</i> | 20-460(b) |
| Sec. 13 | <i>from passage</i> | 21a-190e(b) |
| Sec. 14 | <i>from passage</i> | 21a-190f |
| Sec. 15 | <i>from passage</i> | 21a-190l |
| Sec. 16 | <i>from passage</i> | 43-8a |
| Sec. 17 | <i>from passage</i> | 21a-2 |
| Sec. 18 | <i>from passage</i> | 21a-7(a) |
| Sec. 19 | <i>from passage</i> | 21a-8(c) |
| Sec. 20 | <i>October 1, 2021</i> | 21a-10 |
| Sec. 21 | <i>from passage</i> | 21a-11 |
| Sec. 22 | <i>from passage</i> | 51-164n(b) |
| Sec. 23 | <i>from passage</i> | 20-672 |
| Sec. 24 | <i>from passage</i> | 20-677 |
| Sec. 25 | <i>from passage</i> | New section |
| Sec. 26 | <i>from passage</i> | 20-678 |
| Sec. 27 | <i>from passage</i> | 20-330 |
| Sec. 28 | <i>January 1, 2022</i> | New section |
| Sec. 29 | <i>from passage</i> | 20-334(c) |
| Sec. 30 | <i>from passage</i> | 20-306(a) |
| Sec. 31 | <i>from passage</i> | 20-314(f) |
| Sec. 32 | <i>from passage</i> | 20-317(b) |
| Sec. 33 | <i>from passage</i> | 20-319(b) |
| Sec. 34 | <i>from passage</i> | 20-427(d) |
| Sec. 35 | <i>from passage</i> | 20-427(f) |
| Sec. 36 | <i>from passage</i> | 21-67(d) |
| Sec. 37 | <i>from passage</i> | 21-71 |
| Sec. 38 | <i>from passage</i> | 20-281c(c) |
| Sec. 39 | <i>October 1, 2021</i> | 20-281d |
| Sec. 40 | <i>July 1, 2021</i> | 20-281k(c) |
| Sec. 41 | <i>October 1, 2021</i> | 20-281l |
| Sec. 42 | <i>October 1, 2021</i> | 20-281m |
| Sec. 43 | <i>from passage</i> | 20-691(b) |
| Sec. 44 | <i>from passage</i> | 20-432(d) |

Statement of Purpose:

To make minor and technical changes to streamline the Department of Consumer Protection's licensing and enforcement statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]